UNITED
NATIONS

CRC

Convention on the Rights of the Child

Distr.
GENERAL

CRC/C/3/Add.11
10 February 1993

ENGLISH
Original: SPANISH

COMMITTEE ON THE RIGHTS OF THE CHILD

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

Initial reports of States parties due in 1992

Addendum

MEXICO

[15 December 1992]

CONTENTS

		Paragraphs
I.	INTRODUCTION	1 - 9
II.	IMPLEMENTATION OF THE CONVENTION	10 - 25
	A. General implementing measures	10 - 14
	B. Definition of the child	15 - 25
III.	GENERAL PRINCIPLES	26 - 40
	A. Non-discrimination (art. 2)	26 - 28
	B. Best interests of the child (art. 3)	29 - 33
	C. The right to life, survival and development of the child (art. 6)	34 - 37
	D. Respect for the view of the child (art. 12)	38 - 40

GE.93-15653

CONTENTS (cont.)

		Paragraphs
IV.	CIVIL RIGHTS AND FREEDOMS	41 - 60
	A. Name and nationality (art. 7)	41 - 44
	B. Preservation of identity (art. 8)	45 - 48
	C. Freedom of expression (art. 13)	49
	D. Access to appropriate information (art. 17)	50 - 51
	E. Freedom of thought, conscience and religion (art. 14)	52 - 53
	F. Freedom of association and of peaceful assembly (art. 15)	54
	G. Protection of privacy (art. 16)	55 - 56
	H. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (art. 37 (a))	57 - 60
V.	FAMILY ENVIRONMENT AND ALTERNATIVE CARE	61 - 110
	A. Parental guidance (art. 5)	61 - 62
	B. Parental responsabilities (art. 18, paras. 1-2)	63 - 66
	C. Separation from parents (art. 9)	67 - 71
	D. Family reunification (art. 10)	72
	E. Recovery of maintenance for the child (art. 27, para. 4)	73 - 77
	F. Children deprived of a family environment (art. 20)	78 - 87
	G. Adoption (art. 21)	88 - 92
	H. Illicit transfer and non-return (art. 11)	93 - 95
	I. Abuse and neglect (art. 19), including physical and psychological recovery and social reintegration (art. 39)	96 - 108
	J. Periodic review of placement (art. 25)	109 - 110
VI.	BASIC HEALTH AND WELFARE	111 - 183
	A. Survival and development (art. 6, para. 2)	111 - 118

CONTENTS (cont.)

		Paragraphs
B.	Disabled children (art. 23)	119 - 129
C.	Health and health services (art. 24)	130 - 169
1.	Mother and Child Health Programme	134 - 150
2.	Programme for Prevention and Control of Diarrhoeal Diseases and Acute Respiratory Infections	151 - 156
3.	Programme for diseases preventable by vaccination	157 - 169
D.	Social security and child care services and facilities (art. 26 and 18, para. 3)	170 - 176
E.	Standard of living (art. 27, paras. 1-3)	177 - 183
VII.	EDUCATION, LEISURE AND CULTURAL ACTIVITIES	184 - 230
A.	Education, including vocational training and guidance (art. 28)	184 - 193
B.	Aims of education (art. 29)	194 - 217
C.	Leisure, recreation and cultural activities (art. 31)	218 - 230
VIII.	SPECIAL PROTECTION MEASURES	231 - 337
A.	Children in situations of emergency	231 - 252
1.	Refugee children (art. 22)	231 - 252
2.	Repatriated minors	242 - 250
3.	Children in armed conflicts (art. 38), including physical and psychological recovery and social reintegration (art. 39)	251 - 252
B.	Children in conflict with the law	253 - 271
1.	The administration of juvenile justice (art. 40)	253 - 260
2.	Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings (art. 37 (b), (c) and (d))	261 - 263

CONTENTS (cont.)

		Paragraphs
3.	The sentencing of juveniles, in particular the prohibition of capital punishment and life imprisonment (art. 37 (a))	264 - 265
4.	Physical and psychological recovery and social reintegration (art. 39)	266 - 271
C.	Children in situations of exploitation, including physical and psychological recovery and social reintegration (art. 39)	272 - 307
1.	Economic exploitation, inluding child labour (art. 32)	272 - 281
2.	Drug abuse (art. 33)	282 - 292
3.	Sexual exploitation and sexual abuse (art. 34)	293 - 296
4.	Other forms of exploitation (art. 36)	297 - 305
5.	Sale, trafficking and abduction (art. 35)	306 - 307
D.	Children belonging to a minority or an indigenous group (art. 30)	308 - 320
E.	"Children in Solidarity" Programme	321 - 337

LIST OF ANNEXES*

I. 11th General Census of Population and Housing, National Intitute of Statistics, Geography and Data Processing, 1990

II. Mexican Children: a National Priority. Contribution by the Government of Mexico to the World Summit for Children, 29 and 30 September 1990

III. National Programme of Action, First Evaluation. Mexico and the World Summit for Children, October 1992

IV. National Programme of Action. Mexico and the World Summit for Children, November 1991

V. Diario Oficial de la Federación. Agreement setting up the Public Prosecutor's Specialized Agencies for the Investigation of Child Abduction, October 1992

---

* These documents may be consulted in the Spanish version deposited in the archives of the United Nations Centre for Human Rights by the Government of Mexico.

I. INTRODUCTION

1. The Government of Mexico and Mexican society are making substantial efforts to ensure the survival, development and welfare of Mexican children, efforts that are continually being intensified as part of a policy of social development in which attention to children is a priority.

2. Adoption of a gradual approach to implementation of the policies of macroeconomic stabilization and structural adjustment designed to modernize and achieve fuller and more dynamic integration in the international economy has been accompanied by a social policy whose content is more than merely compensatory, the purpose of which is to guarantee minimum conditions of welfare for the least protected sectors, including children.

3. The National Development Plan 1989-1994 has as one of its objectives improvement of the standard of living of the population on the basis of four complementary strategies: creation of productive and well remunerated jobs; attention to priority social demands; protection of the environment; and eradication of extreme poverty.

4. It is also important to stress that the magnitude of the national effort in support of children and the importance attached to this sector must be assessed in the light of the structure of the population pyramid, from which it can be seen that Mexico is a young country. It is to be noted that the 11th General Census of Population and Housing, carried out in 1990, recorded 39 164 487 young persons under 18 years of age, together constituting 48.17 per cent of the total population (see annex I*).

5. One indicator that reflects the commitment of the Government of Mexico to achieving social development, and in particular the attention it accords to children, is the proportion of gross domestic product (GDP) devoted to what is described as social expenditure, which covers four of the priority areas of protection of children - health, education, basic sanitation and assistance to minors in especially difficult circumstances. With regard to the last of these, it should be emphasized that in 1989 such expenditure represented 18.1 per cent of federal public expenditure, while in 1991 the figure rose to 28.6 per cent (23.2 per cent of which was earmarked for the National Programme of Action for the achievement of the agreements reached at the World Summit for Children), and that this figure is expected to reach 34.4 per cent for 1992. Consequently, it is estimated that in just two years (1990-1992) expenditure on programmes devoted to children will have increased by 29.1 per cent.

6. It should also be noted that Mexico has made its mark on the international scene as an important promoter of international cooperation in the field of protection of children. It has also participated actively in the establishment and development of various instruments for the promotion and protection of the rights of the child, the most prominent of which is the Convention on the Rights of the Child, ratified on 21 September 1990, with a view to supplementing the existing normative framework in this area and strengthening the commitment of the Government of Mexico to this important sector of society.

---

* These documents may be consulted in the Spanish version deposited in the archives of the United Nations Centre for Human Rights by the Government of Mexico.

7. The participation of President Carlos Salinas de Gortari, in his capacity as convenor, together with five other Heads of State or Government, at the World Summit for Children, and the adoption of the agreements resulting from the Summit, clearly show the will of the Government of Mexico to redouble its efforts to ensure the survival, development and welfare of children (see annex II).

8. On the basis of the agreements resulting from the World Summit, in 1990 the Government of Mexico established the National Programme of Action, which focuses on the areas of health, education, basic sanitation and assistance to minors in especially difficult circumstances. The Programme is evaluated twice-yearly so as to ensure adequate monitoring of the activities carried out and of progress made in its execution; the evaluation meetings are chaired by the President of the Republic himself and have been attended by Ministers of State and chiefs of bodies responsible for the welfare and development of children, as well as by the Executive Director of the United Nations Children's Fund (UNICEF).

9. Accordingly, and pursuant to paragraph 1 (a) of Article 44 of the Convention on the Rights of the Child and to the general guidelines regarding the form and content of initial reports to be submitted by States parties under Article 44, paragraph 1 (a), of the Convention (CRC/C/5), the Government of Mexico has the honour to submit its initial report on implementation of the Convention. The present report details existing norms for the protection of children, as well as progress made in the programmes of the Government of Mexico in each of the areas to which the Convention refers.

II. IMPLEMENTATION OF THE CONVENTION

A. General implementing measures

10. The Political Constitution of the United Mexican States establishes the rights of the child as an integral part of the human rights recognized to all persons, such as, inter alia, the rights to life, to a name, to nationality, to health, to education, and to work and food.

11. The Convention on the Rights of the Child was signed by Mexico on 26 January 1990, the day on which it was opened for signature, and was ratified on 21 November 1990 and published in the Diario Oficial de la Federación on 25 January 1991.

12. In accordance with Article 133 of the Political Constitution of the United Mexican States, the Convention shall be "the Supreme Law of the Land", by virtue of having been signed by the President of the Republic and approved by the Senate and of not conflicting with the Constitution itself. Consequently, it is not necessary to harmonize national legislation with the provisions of the Convention.

13. With regard to the legal provisions concerning human rights, Mexican legislation:

(a) reaffirms or reflects rights granted to all individuals without distinction, including distinction as to age, such as protection against torture, the right to a name and nationality, respect for life, etc.;

(b) specifies, with regard to children, the norms applicable to individuals in general; for example, special conditions of employment, administration of justice, special legal representation, etc.;

(c) refers to questions of especial importance specific to children, such as adoption, basic education and parental responsibilities.

14. To that end, and pursuant to the provisions of Article 42 of the Convention, the National Human Rights Commission has drafted a document setting forth, in an accessible and attractive form, the essential rights of the child. Children and the general public are requested therein to read the document carefully, study it and give it wide circulation, and the reader is particularly exhorted to assume genuine and permanent responsibility for ensuring the exercise of those rights. This document has been widely circulated in public and private schools in the Republic of Mexico, and especially to all persons, institutions and organizations directly involved with children.

B. Definition of the child

15. The Constitution of the United Mexican States, in section I of its Article 34, recognizes that "Mexican citizenship shall be enjoyed only by those men and women who, having the status of Mexicans, also fulfil the following requisites: I. They are over eighteen years of age ...".

16. The Civil Code for the Federal District in non-federal matter and for the Republic as a whole in federal matters (hereinafter referred to as the Civil Code) provides in its article 646 that the age of majority shall commence on the 18th birthday. Similarly, article 647 states that persons having attained the age of majority shall freely dispose of their persons and goods, whereas minors are required to have a guardian or person exercising parental authority over them, constituting their legitimate representative.

17. For the Government of Mexico, every human being, from birth up to the age indicated in the Constitution, enjoys the status of a national, and consequently that of a minor and the full range of rights inherent in that status.

18. Although minors do not have the capacity to exercise specific rights on their own account, there are certain acts that they may perform before attaining the age of majority, including those set forth below.

19. They may marry at the age of 14 in the case of females and 16 in the case of males; however, the consent of the persons exercising parental authority is required. In the absence of such persons, the guardian - or, if there is no guardian, the Family Court of the minor's place of residence - will grant consent (articles 148, 149 and 150 of the Civil Code).

20. Minors having attained 16 years of age have capacity to make a will (article 1306 (1) of the Civil Code).

21. Minors who have attained 14 years of age have capacity to administer for themselves the assets they acquire through their work (article 429 of the Civil Code). They may request the judicial authority to declare their status as minors (article 902 of the Code of Civil Procedure).

22. They may legitimately perform acts in connection with their guardianship affecting their guardian, their assets, their inventories and their administration if they have attained 16 years of age (article 537 of the Civil Code).

23. They may not be adopted without their consent if they have attained 14 years of age (article 397 of the Civil Code).

24. Persons over the age of 16 have capacity to be subject to labour relations. Persons below that age but over the age of 14 require the consent of their parent or guardian, of the trade union to which they belong, of the employment inspector or of the political authority (article 23 of the Federal Labour Law).

25. There are also various laws deriving from the Constitution containing provisions relating to children, establishing the basic legal framework within which decisions are taken and efforts made to ensure the survival, development and welfare of children, as will be seen throughout this report.

III. GENERAL PRINCIPLES

A. Non-discrimination (art. 2)

26. Respect for the human rights and fundamental freedoms of individuals, by definition including minors, has historically constituted a priority for the Government of Mexico. Full enjoyment of human rights is a fundamental norm of the country's legislation and daily life.

27. To that end, Mexico has an extensive legal regime to prevent all practices that may give rise to any form of discrimination, exclusion, restriction or preference on grounds, inter alia, of race, colour, sex, language, religion, political or other opinion, and national, ethnic or social origin.

28. Constitutional guarantees include those establishing that there shall be no privilege and no different category among Mexicans, those establishing that men and women may participate freely and responsibly in the taking of national decisions, and those promoting absolute enjoyment of equality in the exercise of individual rights by minors.

B. Best interests of the child (art. 3)

29. In Mexico the rights of minors are protected to such an extend that they must be observed with over and above the rights or prerogatives that parents have over their children, as is clearly specified in the Convention, which, as has already been pointed out, is the Supreme Law of the Land.

30. Pursuant to the Convention, the best interests of the child are the norm governing the taking of decisions by the administrative, legislative and judicial authorities.

31. Since 1971 family disputes have been regarded as questions of public order, given that the family is the basis for the integration of society. The State is thus committed to securing all aspects of the welfare of minors, meeting their essential needs and obliging society to respect their rights,

thereby ensuring that the best interests of the minor prevail, as can be seen from the various specific measures referred to in this report.

32. In this way the Mexican State constitutes the conscientious guardian of the best interests of the child. This can be seen from the establishment, immediately following the World Summit for Children, of seven priority commitments to be met before the end of the century: reduction of infant and pre-school mortality; reduction of the maternal mortality rate; reduction of malnutrition in children under the age of five; assistance in the protection and development of minors in difficult circumstances; extending access to and the duration of basic education; reduction of illiteracy; and provision of access to drinking water and adequate sewage elimination services to the entire population.

33. The institution-building process for the benefit of children that is under way should lay the foundations for the successful continuation of Mexico's programmes in this area throughout the decade. These achievements demonstrate the readiness of the Government of Mexico to go beyond a statement of political priorities, and to take urgent political action.

C. The right to life, survival and development of the child (art. 6)

34. One of the main undertakings given by the Government of Mexico is to guarantee the survival, protection and development of children.

35. The Mexican Constitution (article 14) and the General Law on Health establish the universal character, applicable without distinction, of the right to life, stipulating that "No person shall be deprived of life ...". Likewise, article 22 of the Civil Code states that children come under the protection of the law from the moment of conception.

36. Consequently, the survival of the child is possible only if it is guaranteed minimum conditions of health from conception, during prenatal life and in the first five years after birth. The right to health is made effective through the National Health System, which is developed along the lines and within the time-frame established by the general objectives, policies and strategies of the Health Sector, as can be seen from the relevant section of the report.

37. Moreover, the four national objectives of the current National Development Plan include an agreement on the improvement of productivity and the standard of living. The purpose of this objective is to secure the welfare of the population and promote the protection of all Mexicans, providing appropriate, effective and fair humanitarian services and benefits which provide genuine help in improving their social welfare conditions.

D. Respect for the views of the child (art. 12)

38. Free expression of ideas is enshrined in article 6 of the Mexican Political Constitution, which states: "The expression of ideas shall not be subject to any judicial or administrative investigations, unless it offends good morals, impairs the rights of third parties, incites to crime or causes a breach of the peace." Similarly, article 7 of the Constitution relates to the freedom to publish and write, subject to the provisions contained in the above-mentioned article.

39. Article 23 of the Civil Code provides for the possibility for minors to exercise their rights or contract obligations through their legal representatives.

40. Having regard to the above, the State and its authorities must, subject to constitutional limitations, respect the ideas, thoughts, opinions, etc., expressed by minors on whatever matter and in whatever form, without restriction.

IV. CIVIL RIGHTS AND FREEDOMS

A. Name and nationality (art. 7)

41. The Civil Code stipulates that, in order to comply with the procedure for registration of birth, where possible the father and/or mother, and otherwise the paternal grandparents, or, failing them, the maternal grandparents, are obliged to declare the birth within six months.

42. The Civil Code also states that the doctors or midwives attending the birth are obliged to inform the Judge of the Civil Registry of the birth within 24 hours of the event.

43. The head of the family in whose home the delivery took place has the same obligation, if it took place away from the parents' home. If the birth took place in a nursing home, either private or State-run, the above-mentioned obligation will be the responsibility of the director or head of administration.

44. In addition, article 30 of the Constitution regulates all aspects of the acquisition of Mexican nationality, who may obtain it and how, and also matters concerning the status of legitimate and illegitimate children. This constitutional provision establishes that:

"Mexican nationality is acquired by birth or naturalization.

(a) The following are Mexican by birth:

I. Individuals born within the territorial limits of the Republic, irrespective of the nationality of their parents;

II. Individuals born in foreign countries of Mexican parents, of Mexican father, or of Mexican mother; and,

III. Individuals born on board Mexican war or merchant vessels or aircraft."

B. Preservation of identity (art. 8)

45. The right of the child to preserve its identity, including its name and family relations, is regulated by article 35 of the Civil Code. With regard to the birth certificate, the requirement is stipulated for the parents, grandparents, doctors or midwives, directors of hospitals or heads of family of the house in which the birth took place to notify the local Judge of the Civil Registry or administrative authority (articles 34 and 57).

46. It should be noted that this institution has been undergoing a transformation since 1989, the year in which computerized systems were introduced which have made it possible to detect without prior warning attempts to duplicate registrations or make substantive alterations to certificates already issued.

47. In cases where corrections, alterations or classification of certificates issued by the Civil Registry are necessary, changes may be made only by an order of the relevant judicial authority, as laid down in article 134 of Chapter XI of the Civil Code.

48. One of the activities of the Directorate of Legal Assistance of the National System for the Integral Development of the Family (hereinafter referred to as the DIF), through the Office of the Government Procurator for the Defence of Juveniles and of the Family, is to provide legal advice to persons receiving social assistance and to represent them vis-à-vis the judicial authority.

C. Freedom of expression (art. 13)

49. Article 6 of the Constitution of the United Mexican States guarantees nationals free expression of ideas, which shall not be subject to any judicial or administrative investigations, unless it offends good morals, impairs the rights of third parties, incites to crime or causes a breach of the peace. This same article also safeguards the right to information.

D. Access to appropriate information (art. 17)

50. Where the media are concerned, article 59 bis of the General Law on Radio and Television stipulates that programmes broadcast to children must:

"I. promote the harmonious development of children;

II. stimulate creativity, family integration and human solidarity;

III. endeavour to secure understanding of national values and knowledge of the international community;

IV. promote children's interest in science, the arts and social matters; and,

V. provide entertainment and assist in the process of educating children.

51. The media, both national and local, also devote substantial slots to children and adolescents, and serve as forums in which minors can express themselves freely and receive guidance on matters of concern to them.

E. Freedom of thought, conscience and religion (art. 14)

52. The right to freedom of thought, conscience and religion is guaranteed by article 24 of the Political Constitution, which establishes the freedom to embrace the religion of one's choice, and to practise ceremonies, devotions or observances either in places of public worship or at home, provided they do not constitute an offence punishable by law.

53. In Mexico the education imparted by the State is secular, while authorized private teaching institutions may choose to give religious instruction to their pupils.

F. Freedom of association and of peaceful assembly (art. 15)

54. Freedom of association and assembly is guaranteed in Mexico, having been enshrined in article 9 of the Constitution, which reads: "The right to associate or assemble peaceably for any lawful purpose cannot be restricted ...", a guarantee which, like all fundamental guarantees, is extended to minors.

G. Protection of privacy (art. 16)

55. Article 16 of the Constitution states that no one shall be molested in his person, family, domicile, papers or possessions except by virtue of a written order of the competent authority stating the legal grounds and justification for the action taken.

56. Having regard to the above, it shall be for the law to establish the supports for the protection of minors to be entrusted to the competent public institutions, and in particular to the various Offices of the Government Procurator for the Defence of Juveniles established in the national territory.

H. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (art. 37 (a))

57. Under the provisions of article 22 of the Constitution, minors, like any other persons, may not be subjected to punishments by mutilation and infamy, branding, flogging, beating with sticks, torture of any kind, confiscation of property and any other unusual or excessive penalties.

58. The Programme for the Prevention of Ill-treatment of Juveniles has been applied at national level, and operates a year-round 24-hour service.

59. The governmental institutions that deal with the problem of juveniles subjected to ill-treatment keep registers of cases reported, which partially reflect this complex problem. For example, in the first half of 1991 the Government Procurator's Office of the Federal District (PGJDF) dealt with 6 029 cases in which the victims were juveniles. The DIF reported 2 184 cases of juveniles subjected to ill-treatment.

60. The problem of ill-treatment of minors has legal, social, family, medical and psychological dimensions, and an effort is thus being made to diminish or punish habitual violence directed against children or juveniles by parents, guardians or persons having custody, so as to safeguard their fundamental and other rights.

V. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

A. Parental guidance (art. 5)

61. Article 4 of the Mexican Constitution provides that it is the duty of the parents to safeguard the right of minors to the satisfaction of their needs and to physical and mental health, in order to guarantee them a pleasant existence.

62. The same article also establishes equality between men and women and the duty of the State to ensure the adequate development of the family. Parental authority is seen in Mexican law as a function the principal duties of which are

respect for the personality and personal dignity of the minor and to assist the minor in acquiring an independent and responsible personality.

B. Parental responsibilities (art. 18 paras. 1-2)

63. In this regard, and in addition to the information set forth in paragraphs 61 and 62 above, article 303 of the Civil Code establishes the obligation of the parents to nurture their children; where there are no parents or where it is impossible for them to perform this obligation, the obligation falls to the other most closely related ascendants of both the male and female lines.

64. Moreover, article 308 of the Civil Code specifies that nurture includes food, clothing, housing and aid in case of illness. Where minors are concerned, nurture also includes expenditure necessary to ensure the compulsory education of the child being nurtured and to provide him or her with some honest occupation, craft or profession.

65. With respect to the fundamental responsibility of the parents to provide, within the limits of their possibilities and economic means, the living conditions necessary for the development of the child, the DIF provides the legal advice to ensure that minors receive from their parents the economic resources that the latter are obliged to provide.

66. Through the conclusion of extrajudicial agreements, the DIF intervenes in the receipt and remittal to the beneficiary of the quantity agreed. In the period from September 1990 to July 1991, 279 agreements were concluded for the remittal of benefits to which minors are entitled.

C. Separation from parents (art. 9)

67. With regard to separation from parents, the Civil Code establishes that, until the divorce is granted, the judge shall authorize the provisional separation of the spouses and lay down the necessary measures to provide for the children whom there is an obligation to nurture.

68. Article 282 (6) provides that the children must remain in the care of the person whom both parents have agreed to nominate, who may be one of the parents. In the absence of such an agreement, the spouse seeking the divorce shall nominate the person under whose authority the children are to be placed provisionally. Prior to the procedure laid down in the Code, the judge shall determine what are the relevant issues. Except where the normal development of the children may be seriously jeopardized, children under the age of seven must remain in the care of the mother.

69. Article 283 establishes that "The divorce decree shall establish the situation of the children, for which purpose the judge shall enjoy the fullest powers to resolve all matters relating to the rights and obligations inherent in the parental authority, their loss, suspension or limitation, as applicable, and particularly with regard to the custody and care of the children, for determination of which he must obtain the necessary background facts. The judge shall observe the norms of the Code for the purposes of appointing to the exercise of parental authority the person legally entitled to exercise it, where appropriate, or of appointing a guardian."

70. Article 284 mentions that, before a final decision is taken on the parental authority or guardianship of the children, the judge may grant, at the

request of the grandparents, aunts and uncles or elder siblings, any measure considered beneficial for the minors.

71. Finally, article 285 states that, even where they relinquish parental authority, the father and the mother remain subject to all their obligations vis-à-vis their children.

D. Family reunification (art. 10)

72. The Political Constitution of the United Mexican States guarantees freedom of individuals to meet (article 11). For that purpose, the State safeguards all those measures tending to ensure that the child who for various reasons has been separated from one of his or her parents is free to enter and leave the national territory in order to be reunited with them, or that one or both parents, when residing abroad, are free to be reunited with the minor, as provided for in the legislation.

E. Recovery of maintenance for the child (art. 27, para. 4)

73. Regarding the fundamental responsibility of the parents to provide the living conditions necessary for the development of the child, article 303 of the Civil Code establishes the obligation for the parents to nurture their children or wards.

74. In order to reinforce the aforementioned measures, on 3 September 1991 a Coordination Agreement was signed between the Ministry of Foreign Affairs, the Office of the Attorney-General of the Republic (PGR) and the DIF, regarding adoption and maintenance measures at inter-country level.

75. Under the terms of that Agreement, the Ministry of Foreign Affairs undertakes to pass on foreign requests or court rulings concerning maintenance from countries enjoying reciprocal arrangements with Mexico in this regard, and to pass on to those countries all requests or court rulings concerning maintenance submitted to it by the DIF or the PGR, with a view to obtaining the maintenance requested, through Mexican diplomatic and consular representations, in collaboration with the foreign judicial and administrative authorities.

76. In addition, it should be noted that a Reciprocal Programme is planned between the United Mexican States and the United States of America for the recovery of maintenance, the purpose of which is to solve the growing problem faced by thousands of Mexican families when the breadwinner emigrates to the neighbouring country to the north, leaving them totally unprovided for economically.

77. The Programme is based on the provisions of the Uniform Law for the Reciprocal Execution of Maintenance, the principal objective of which is to ensure that persons to whom maintenance is owed are able to recover it, even when that person or the person owing maintenance is in another State, without the need for the former to travel to the place of residence of the latter and to become involved in the procedural complexities entailed in securing execution of court orders handed down in another State.

F. Children deprived of a family environment (art. 20)

78. The governmental institutions responsible for caring for those minors who, for various reasons, do not have a family nucleus provide these children with care, protection, basic assistance, treatment and rehabilitation.

79. The DIF has implemented programmes to assist in the social rehabilitation of minors and in their reinsertion into a family nucleus.

80. To provide care to minors who have been abandoned, orphaned or physically or mentally ill-treated, the DIF has foundling homes, homes for minors, boarding establishments for the children of working mothers, an Assistance Centre for Mentally Handicapped Minors and a central unit to coordinate with private-sector bodies, to draw up agreements for the care of minors placed in foster-homes.

81. The main objective of these institutions is to reintegrate the minor in a functional family nucleus. While the minors reside in these centres, they receive many services to ensure that they are comprehensively cared for, such as lodging, food, clothing, full medical care, psychological care, pedagogical counselling, and paediatric and social welfare care (see annex III, pages 143-148).

82. In the case of the foundling homes, emphasis is placed on programmes to ensure healthy children and to provide multiple stimuli at an early age, which are designed to reduce the effects of institutionalization.

83. Similarly, efforts are being made to ensure that minors boarding in the homes run by the DIF attend ordinary schools, the intention being to place them in a social environment as similar as possible to that of minors integrated in a functional family nucleus. When they leave the homes on attaining the age of majority, the minors have, as a minimum, a technical education to facilitate their integration as productive members of society.

84. A substantial effort has also been made to modernize the health care services, with emphasis placed on the need for adequate follow-up to secure epidemiological prevention and monitoring of children deprived of a family environment.

85. Similarly, visits to various cities of the Republic during vacations have been planned and organized for all those in care. These visits have provided opportunities for them to become familiar with institutions, industrial installations and cultural events, and also to associate with other minors, thereby enhancing the values they will need to acquire in order to forge links with the environment in which they will have to develop on reaching the age of majority.

86. In addition, the Directorate of Legal Assistance of the DIF has implemented the Non-custodial Supervision and Adoption of Minors Programmes. The former functions on the basis of the agreement concluded between the Ministry of the Interior and the DIF to contribute to the social rehabilitation of minors who have violated legal and social norms and who, in view of the trivial nature of the offence committed, have not had to be dealt with in a detention centre, so that they need be kept under surveillance only for the time needed for the necessary studies to be performed. These minors are dealt with under the Non-custodial Supervision Programme. Within this Programme, a plan of work is prepared with a view to incorporating the minor in the family and in society, beginning with a socio-economic study and addressing psychological issues concerning the minor and the family environment.

87. Minors from the DIF's own foundling homes, ranging in age from newborn babies to six-year-olds, have benefited from the Adoption of Minors Programme, since the institution's approach to adoption is consistent with the guidelines laid down by UNICEF and the Inter-American Children's Institute (IACI) on the matter. In other words, the entire process of adoption presupposes securing the optimum development of the minor so as to facilitate his or her proper integration in society.

G. Adoption (art. 21)

88. Article 390 of the Civil Code establishes that:

"A person over the age of 25, unmarried, enjoying full exercise of his rights, may adopt one or more minors or one disabled person, even where the latter has reached the age of majority, provided that the person adopting is 17 years older than the person to be adopted and that, in addition, he can establish:

I. that he has sufficient means to provide for the subsistence and education of the minor [...], as his own child, according to the circumstances of the person to be adopted;

II. that the adoption is beneficial to the person to be adopted; and,

III. that the adopter is a person of good morals.

When special circumstances so justify, the judge may authorize the adoption of two or more [...] minors simultaneously."

89. Article 391 adds that:

"Even where only one of the spouses fulfils the age requirement set forth in the preceding article, the husband and wife may adopt, where both agree in regarding the person adopted as their child, always provided that the difference in age with the person adopted is at least 17 years."

90. With regard to articles 20 and 21 of the Convention on the Rights of the Child, referring to adoption of children, the Directorate of Legal Assistance of the DIF participates in the judicial process through which their legal position is defined, and is thus able to arrange for their adoption and to safeguard the right of the child to belong to a family, and to enjoy full and harmonious development of his or her personality in a happy, loving and understanding environment.

91. With regard to the question of inter-country adoptions, the Ministry of Foreign Affairs has been collaborating closely with the DIF in the framework of the tripartite Coordination Agreement referred to in section E above, and has prepared a manual which will enable members of the Mexican Foreign Service to assist foreigners seeking to initiate a process of adoption in Mexico and establish the necessary mechanisms to channel through the Mexican diplomatic and consular representations all requests for inter-country adoptions submitted by foreigners, with a view to their being processed by the DIF, thereby contributing to combating the phenomena of unauthorized adoptions and trafficking in children.

92. In addition, the relevant steps are being taken for Mexico to become a signatory to the 1993 Hague convention on inter-country adoptions, the principal objective of which is to regulate the growing flow of minors from third world countries to developed countries for adoption. This international instrument will include new socio-legal bases that will supersede the now obsolete Convention on Jurisdiction, Applicable Law and Recognition of Decrees relating to Adoptions, concluded at The Hague in 1965.

H. Illicit transfer and non-return (art. 11)

93. The Hague Convention on the Civil Aspects of International Child Abduction was signed by Mexico on 20 June 1991. Its objectives are the protection of the minor, at international level, from the harmful effects that might result from illicit transfer or non-return, and the implementation of procedures to ensure the immediate return of the minor to the State of habitual residence, simultaneously ensuring protection of the right of visit.

94. These principles are based on the conviction that the best interests of the minor are of paramount importance in all matters relating to custody. In this regard, the objectives and intentions of this Convention coincide with the guarantees that the Mexican legal system affords to minors, also facilitating the solution of problems of illicit transfer of children by one of the parents.

95. Requests to return minors abducted and retained illicitly are channelled through the central authority - which, in the case of Mexico, is the Ministry of Foreign Affairs.

I. Abuse and neglect (art. 19), including physical and psychological recovery and social reintegration (art. 39)

96. The governmental institutions that deal with the problem of abuse of minors keep registers of cases reported. The figures available only partially reflect this complex problem. As an example, in the first six months of 1991 the Government Procurator's Office of the Federal District (PGJDF) dealt with 6 029 cases involving victims who were minors. In the same period, the DIF reported 2 184 cases of abused minors.

97. The problem of abuse of minors is a multi-faceted one, with legal, social, family, medical and psychological ramifications. Consequently, the problem is dealt with by a number of different institutions, including the DIF, the PGJDF and the Government Procurator's Offices of the States.

98. The Procurators' Offices for the Defence of Minors and the Family are located in the institutions that make up the DIF country-wide. The work of these bodies takes the form of assistance and prevention, with criminal proceedings left to the Government Procurators. There is thus constant coordination, in which the DIF initially reports to the Government Procurator any well-founded cases that have come to its attention, a procedure that enables a preliminary investigation to be made so as to verify that the offence has in fact been commited against the minor.

99. Depending on the classification of the injury, the parents, guardians or custodians responsible for the ill-treatment may be brought before a judge who will initiate criminal proceedings against them, concluding in a judgement which may entail temporary or permanent loss of parental authority.

100. The main function of the Offices of the Government Procurators of the States and of the Federal District is to ensure efficient, effective and timely

monitoring of the rights of abused minors in a situation of conflict, injury or danger, securing their reintegration into the most suitable family and social environment, or, where appropriate, directing them to existing care institutions (see annex IV, pages 118 and 119).

101. As the promoter of minors and of family integration, the DIF provides minors and their families with social assistance services through the child abuse prevention programme. On receipt of a report, various steps are taken to confirm that there has been ill-treatment, and on the basis of the information obtained, the minor and his family are accorded comprehensive care involving legal, medical and social aid. The measures to treat the parents, guardians and persons responsible for the minors are designed to bring about a change in their patterns of behaviour, so as to secure better family integration.

102. When the physical assaults suffered by the minor amount to bodily injury within the meaning of the Penal Code, the official complaint is made to the public prosecutor, with a view to the competent authority initiating court proceedings.

103. In the light of the results of the study and report presented by the social welfare services on the treatment received by the minor within his family circle, an order may be issued - in a civil court - entailing loss of parental authority, in which case the minor will be placed under the protection of the State, in an institution that caters adequately for his development.

104. Faced with a growing demand for such support, the DIF has established coordination arrangements with 17 State-run and 39 private institutions used to deal with minors who have been ill-treated or abandoned, and to handle requests for boarding facilities to meet the basic needs of minors up to the age of 12.

105. With a view to reducing the number of abused minors and helping to solve the problem of abandoned minors, a programme has been set up to publicize these issues, taking the form of lectures offered to the general public at the request of public or private institutions, and to heads of families, intended to provide guidance, raise awareness and create a sense of responsibility regarding the needs of minors and the consequences of such conduct. Instilling an awareness of these problems, and subsequently being in a position to meet a growing demand, are among the objectives set forth in the National Programme of Action.

106. The DIF is also able to offer treatment to abused minors and their families in the area of mental health. For this purpose, cases are referred to the DIF's National Institute of Mental Health, which was set up 13 years ago to meet the mental health care needs of children, adolescents and their families. The Institute's work with this type of minors consists of rehabilitation therapy and psychiatric and psychological consultations. These activities involve a comprehensive assessment of the case, the necessary psychological studies, and identification of disturbances in the family situation, of other prejudicial or risk factors, of associated illnesses, and of the need for specialized studies and specific treatment.

107. During 1991 and 1992, abused minors and their families benefited from specialized consultations: 591 abused minors were treated. During 1991 the two bodies that deal with abused minors and victims of abuse dealt with 138 110 minors; 3 213 preliminary investigations were carried out; 261 lectures were given; 110 976 cases were brought to the attention of the non-criminal jurisdictional organs; and there were 9 231 counselling sessions,

94 inspections, 1 620 psychiatric consultations, 2 160 psychological consultations, and 1 298 visits to homes to provide comprehensive social care.

108. 65 055 abused minors and victims of abuse benefited from such activities during the first six months of 1992. There were 458 preliminary investigations, 5 616 lectures, 52 173 cases brought to the attention of the non-criminal jurisdictional organs, 936 psychiatric consultations, 1 248 psychological consultations and 6 105 medical consultations for minors in temporary accommodation. 2 057 homes were visited in order to provide comprehensive social care (see annex IV, pages 135 to 137).

J. Periodic review of placement (art. 25)

109. The General Law on Health and the National Law on Social Assistance confer on the National Institute of Mental Health (INSAME) the power to take the necessary action to investigate, prevent and treat mental health problems in children, adolescents, the elderly and their families, and in other persons in receipt of assistance pursuant to the Law on Social Assistance. In this connection, the concept of disability is applicable to psycho-social limitations, both in individuals and vis-à-vis their families and society in general, resulting from the pathological or dysfunctional process of deterioration in mental health, particularly among those in receipt of assistance pursuant to the Law on Social Assistance. Against this background, INSAME comes within the framework of the Programme for non-hospitalized rehabilitation and health promotion.

110. In the event that any stage of the treatment requires the hospitalization of the patient, this may take place with the consent of the parent or guardian where a minor is involved. If, by the nature of the illness, voluntary internment is not an option and there is a risk of self-inflicted injury or injury to others, then the minor may be involuntarily interned for a specified period of time, after which the patient's situation must be clearly explained to his or her legal representative. Subsequently, the patient may not be detained in hospital against his will. Patients hospitalized without their verbal or written consent are entitled to have their cases regularly reviewed, as provided for in the Federal Health Law. At each review it must be established that the necessary conditions for continuation of the internment continue to be fulfilled; where this is not the case, the patient may himself immediately request his discharge from the hospital in which he is interned.

VI. BASIC HEALTH AND WELFARE

A. Survival and development (art. 6, para. 2)

111. Mexican children have been a focus of attention on the part of the health and social security institutions during the lifetime of several administrations, from which it may be seen that they constitute a high priority for the Government of the Republic.

112. In 1990 the Government of Mexico drew up the National Programme of Action with the objective of providing better guarantees of the survival, protection and development of the child, in the framework of the measures intended to secure compliance with the undertakings given at the World Summit for Children and those contained in the Convention on the Rights of the Child.

113. The survival, protection and development of the child are possible only if children are guaranteed minimum health conditions from the moment of conception,

during prenatal life and in the first five years after birth. To secure this, it is first essential to ensure the health of the mother during the stages of gestation and lactation.

114. It has been determined that actions should be both preventive and conducive to development, and this is possible only through access to fuller information, guidance, physical and mental health education, through the organization and participation of society as a whole, and through promotion of a healthier physical environment.

115. The right to health is guaranteed through the National Health System, which is developing along the lines and in accordance with the time-frame laid down in the general objectives, policies and strategies for the sector. The national development plans and the corresponding national health programmes constitute the framework and instruments by means of which the objectives and strategies are linked coherently.

116. One of the four national objectives of the National Development Plan 1989-1994 is the agreement on the improvement of productivity and the standard of living. This objective, aimed at securing the welfare of the population, lays down general guidelines for health policy, namely: "To foster the protection of all Mexicans, by providing timely, efficient, fair and humanitarian services and benefits so as to make a real contribution to the improvement of their conditions of social welfare, with the assistance of the communities and the three levels of government as an effective means of securing the necessary resources."

117. The National Health Programme consists of a package of action and support programmes and of strategic projects in the areas of family planning, maternal and infant care, prevention and control of diarrhoeal diseases and acute respiratory infections, immunization and the nutritional state of mother and child.

118. Against this background, the Government of Mexico is faced with two challenges: (a) to deal with the pathologies traditionally associated with economic and educational backwardness in certain sectors of society; and (b) to respond promptly and effectively to newly emerging problems, so as to satisfy health requirements in the rural and urban sectors, while at the same time reconciling the advantages offered by comprehensive care models with a preventive approach and greater participation by the public in health programmes based on self-help.

B. Disabled children (art. 23)

119. The problem of disability among minors is the result of a number of circumstances which in various ways hamper their full integration and participation in the family, the community and society.

120. Under articles 4 of the Constitution and of the Law on the National Social Assistance System, disabled children are recognized as entitled to social assistance. The findings of various studies suggest that approximately 7 per cent of minors are disabled, making the problem one of major proportions.

121. The DIF is responsible for providing assistance services through the Programme for Assistance to the Disabled, which includes comprehensive rehabilitation activities and hospital services, dispensed through

32 rehabilitation units which offer specialized medical and paramedical consultation, diagnostic studies, physical and language therapy, and also provide orthopaedic equipment.

122. The DIF also engages in activities of the prevention of disability through early identification of disabling processes and talks on health education; it provides medical and paramedical consultation services in its rehabilitation units for persons under the age of 19, physical, occupational and language therapy, also to persons under the age of 19, and prostheses, orthoses and other functional aids to minors.

123. The strategies through which these programmes are implemented include (see annex IV, pages 127 to 129):

(a) strengthening of coordination of State schemes for the comprehensive development of the family, with a view to integrating the network of rehabilitation services offered to minors;

(b) encouragement of preventive measures, with emphasis on health promotion activities targeted at those population groups at risk of physical, mental or social disability;

(c) fostering of participation by the community in the diagnosis of all types of disability problems, determination of needs, and formulation of solutions;

(d) broader coverage in provision of rehabilitation services to minors as out-patients, through optimum use of resources and effective execution of measures, with community participation;

(e) establishment of the mechanisms to guarantee completion of individual programmes based on comprehensive diagnosis and prognosis; and,

(f) consolidation of permanent statistical information systems on rehabilitation, dealing with infrastructure, equipment, programmatic structure, productivity and impact of services.

124. The DIF has also drawn up various approaches for the prevention of disability:

(a) A rehabilitation programme with community participation, consisting of three projects aimed at organization of the community, health education, and rehabilitation per se;

(b) A screening programme for detection of processes leading to disability, consisting of three projects concerning early diagnosis of neurological risk, visual, muscular and skeletal deterioration, and communicative disorders.

125. The following programmes have been developed to secure comprehensive rehabilitation:

(a) a comprehensive assessment programme including medical and paramedical assessment;

(b) an integral treatment programme including physical and occupational therapy and provision and management of prostheses and orthoses.

(c) a social integration programme consisting of various activities to secure integration in ordinary schools and in the family.

126. There is a minimum charge for the services provided, in the form of contributions which are fixed after a study of the socio-economic situation of the minor's family, on the basis of which total exemption may be granted. The screening programmes for the general public are provided totally free of charge. As a back-up, doctors are trained to specialize in rehabilitation and physical and occupational therapy.

127. In the period between January 1991 and June 1992, minors exposed to various potentially disabling risks were treated under the rehabilitation centres' extra-mural schemes; intra-mural schemes targeted minors actually suffering from disabling processes, and were designed to maximize their physical functional circumstances and psychological adaptation, thereby enhancing their performance within the family and the community.

128. One significant achievement worthy of note is that the activities of the Programme for Assistance to the Disabled have an impact on the most vulnerable sectors of the population comprising persons in receipt of social assistance services.

129. The Rehabilitation Centres run by the National DIF in the States have come to constitute a third level of rehabilitation care, forming the axis of the State programmes to provide care for the disabled around which the rehabilitation units attached to the State and Municipal DIFs operate.

C. Health and health services (art. 24)

130. Article 4 of the Mexican Constitution states that "Every person has the right to health protection." As explained earlier in this report, the term person, individual or human being includes all Mexicans without distinction as to colour, sex, age, religion or ethnic group.

131. The General Law on Health is the legislative text that regulates the provisions of articles 4 and 123 (A) of the Constitution.

132. The General Law on Health enunciates the basic social assistance activities offered by the Ministry of Health, as well as the bodies coordinated by the Ministry. Its articles 61 to 66 establish the measures relating to mother and child care; article 168 (2) and (4) refers to measures to benefit minors; article 171 establishes that preferential treatment is to be accorded to minors; article 174 refers to care in the areas of disability prevention and rehabilitation, and apportions responsibility for rehabilitation.

133. Article 2 (IV) of the Regulations Organizing the National System for the Comprehensive Development of the Family [the DIF] in turn regulates the provisions of the General Law on Health regarding the social assistance matters which are a priority for this body, namely, the promotion and fostering of the healthy physical, mental and social development of children.

1. Mother and Child Health Programme

134. The situation of women, in its various aspects, is of fundamental importance to the overall well-being of children. Consequently, the development

of their living conditions and access to education and employment constitute a guarantee of the country's economic and social development.

135. Improvement of levels of health and education among mothers are an essential prerequisite for the health of the child in its first years of life. The high mortality and morbidity rates among the child population, especially at birth, are partly attributable to unwanted pregnancies, and to premature and underweight births. The presence of other risk factors, such as lack of medical care and adverse conditions in the home also contributes to maternal and child mortality.

136. Mother and child health programmes, including prenatal care and delivery in hygienic conditions, systems for referral and cross-referral, monitoring of nutrition and specific vaccination with application of tetanus toxoid are additional measures that affect these epidemiological indicators, ensuring low-risk child-bearing and a healthy start to life for the new-born child.

137. The joint development of actions to support the mother and child in parallel with other related programmes, such as nutrition and family planning programmes, also assists in the reduction of mortality rates and in regulation of the demographic growth of the population.

138. In this connection, it should be noted that the fundamental purpose of institutional actions in the area of mother and child health is protection of health during the years of child-bearing, particularly during pregnancy and childbirth and immediately thereafter, and the preservation of the child's health from conception until he or she attains satisfactory development and growth.

139. At national level, the National Programme of Action systematizes important preventive measures aimed at supervision, prevention and control of injury and risk to mother and child, emphasizing promotion of good feeding habits, self-help and timely treatment of epidemiological problems and risk situations constituting a threat to health.

140. Priority is accorded to the reduction of mortality rates among mothers and the under-fives, which run at an annual rate of 5 per cent and 3 per cent respectively, with provision of access for all pregnant women to ante-natal care and the assistance of qualified staff to guarantee an 80 per cent coverage by 1994.

141. In addition, provision is made for raising the quality of the services provided to mothers and children, with an improvement in cure during and after delivery and implementation of alternative strategies in the sector, such as the setting up of the committees to study maternal and perinatal mortality and the execution of the "Shared Accommodation" and "Friendly Hospital" Programmes.

142. In its national dimension, the Mother and Child Health Programme is an institutional alternative that contributes directly to attainment of the general aims of the National Programme of Action.

143. In contrast to the above trend, no significant changes are to be observed in the infant mortality rate for 1990 as compared to the two previous years. Undoubtedly, this is partially attributable to the significant improvement in the National Health Information System's mechanisms for notification and registration after being linked with the activities of the National Institute of Statistics, Geography and Data Processing (INEGI) and the offices of the Civil Registry in all the States of the federation.

144. In general, in spite of these important successes in lowering the rates, there are still a number of problems associated with maternal mortality, calling for careful scrutiny by the institutions of the National Health System, among them the fact that mortality is attributable to problems which can to a large extent be avoided through application and optimum use of available technology.

145. The problems arising as a result of inadequate medical care, failure to provide care on a timely basis, and limited access to care during pregnancy and delivery in poorly served rural and peripheral urban areas, undoubtedly contribute to the discrepancies between maternal mortality rates among the various sectors of the population. In some States of the Republic, particularly in the Centre and South, the proportion of deliveries taking place without medical supervision has fallen.

146. The Mother and Child Health Programme is implemented according to various strategic lines of action, from which are derived specific sub-programmes oriented in accordance with institutional needs for improvement in the quality and coverage of mother and child care services, prevention of injury and risks, design and application of simplified technologies for ante-natal care and low-risk delivery in rural areas, and promotion of community participation (see annex III, pages 35 to 42).

147. In their joint implementation, the sub-programmes concentrate the bulk of measures and resources into a comprehensive primary health care scheme, closely linked to more highly specialized services and to the community's own resources.

148. In spite of the great effort that has made it possible to raise the quality of natal care and improve the conditions in which deliveries take place, there are still considerable disparities between urban and rural areas. In rural areas where services are not readily available and where there is a reluctance on the part of women to accept them for cultural reasons, traditional midwives constitute a resource of undeniable value.

149. Thus, an improvement in mother and child care has been achieved in rural areas through involvement of traditional midwives in institutional programmes. A Programme for Training and Monitoring of Traditional Midwives has been set up for that purpose, and they have been accorded recognition and have received support through the establishment of Posadas de Nacimiento (Birth Hostels).

150. The information generated by staff working in the community enables action to be taken to prevent and detect health problems and provide simple treatment at an early stage. This Programme also includes the "White Flag" strategy, which advises mothers on prevention and control of diarrhoeal diseases and the use of oral rehydration therapy.

2. Programme for Prevention and Control of Diarrhoeal Diseases and Acute Respiratory Infections

151. Among the main activities carried out by the institutions of the National Health System, priority continues to be accorded to prevention and control of diseases and accidents of epidemiological significance. Actions have focused on the peripheral urban population, the rural communities and the mother-child nucleus, and on other high-risk groups. As part of these priorities, the National Programme of Action has concentrated on developing alternative means of reducing the harmful effects of diarrhoeal diseases and respiratory complaints on the under-fives.

152. In Mexico, infectious and contagious diseases and those associated with malnutrition chiefly affect the low-income population, and are thus still among the most significant causes of morbidity and mortality. The national epidemiological profile, in which heart complaints, accidents and tumours figure among the chief causes of death, continues to be characterized by the presence of many infectious and contagious diseases associated with known risk factors, and with the country's social and economic deficiencies.

153. Prominent among these diseases are diarrhoeal diseases (EDAs) and respiratory ailments, which continue to be among the main causes of death in Mexico. Although a significant advance has been observed in the control of these illnesses, various sectors of the population continue to suffer from them with great frequency, particularly in rural and peripheral urban areas, where present living conditions are clearly deficient.

154. The Programme for Prevention and Control of Diarrhoeal Diseases and Acute Respiratory Infections is geared to health education, self-help in family health care, identification of serious cases for early medical treatment, prevention of death as a result of dehydration, and protection of the nutritional state. A reduction has been achieved in the number of complications and fatalities resulting from these ailments.

155. Staff training activities have been stepped up so as to increase coverage and access to standardized treatment for children suffering from respiratory ailments. Dissemination of preventive measures is an important facet of the Programme's operational strategies, the intention being to encourage monitoring of health and self-help at family level and to provide timely and proper treatment of children in their homes. To that end, media dissemination and preparation and distribution of educational material were stepped up in 1991 and 1992.

156. As a back-up to these targets, specific strategies are being developed, including strengthening of interinstitutional and intersectoral coordination in order to increase the participation of the institutions of the National Health System and of the sectors involved in the prevention and control of diarrhoeal diseases, to guarantee availability and distribution of inputs and medicaments needed for the treatment of diarrhoea, and to encourage community participation in the treatment of these ailments in the home. The institutions of the National Health System have intensified epidemiological monitoring measures for the detection of cases and outbreaks; and a wide range of measures have been taken, including the sanitary management of risk factors. All these measures have helped lower the incidence of diarrhoeal diseases (see annex III, pages 42 to 45).

3. Programme for diseases preventable by vaccination

157. In accordance with its commitment to control and prevent diseases preventable through immunization, the institutions of the Mexican Health Sector have accorded priority to broadening the coverage of vaccination and strengthening epidemiological monitoring and investigation, as a basis for determining the effect of specific measures on the behaviour of these ailments at national level.

158. To date, high rates of immunization and beneficial effects on morbidity and mortality resulting from ailments preventable through immunization have been achieved. This is attributable in particular to the holding of National Vaccination Days, and to the implementation of additional strategies focusing on high-risk geographical areas, exploitation of missed opportunities and a

country-wide reduction in the rates of abandonment of schemes for the under-fives.

159. This can be seen in the case of poliomyelitis, incidence of which has fallen to nil, with no cases reported among children since October 1990.

160. When compared with previous years, the rates of incidence of whooping cough, measles, tetanus and tuberculosis enable a clearer idea to be gained of the positive effects of vaccination programmes on the population at risk (see annex IV, pages 48 to 56).

161. As part of the institutional measures to exert a more significant effect on the morbidity and mortality indicators, the National Programme of Action provides for a strengthening of functional coordination between the institutions of the National Health System and the community, as a mechanism for ensuring fuller participation by society in the fight against these diseases and improving the channelling of resources and alternative means of achieving the objectives and targets adopted. In this way, with the introduction of the National Programme of Action, immunization activities have received an unprecedented boost, with the assumption of the fundamental commitment to vaccinate all children under the age of five in Mexico, regardless of their place of residence.

162. With the setting up of the National Vaccination Council, interinstitutional coordination and concertation have been still further strengthened, with all the health institutions now integrated into a single unit for purposes of planning of actions and operational implementation at community level.

163. The results obtained by the Council 22 months after the setting up of the National Programme of Action are encouraging, in the light of the progress made in extending coverage of the population and in implementation of comprehensive vaccination schemes. The interinstitutional coordination achieved to date is reflected in the degree of organization of the Programme and in the shared use of institutional resources, especially technical personnel, cold chains, exchange of information and joint supervision, as well as provision of inputs and promotion of community participation.

164. The Universal Vaccination Programme has oriented its actions on the basis of ongoing vaccination strategies and intensive strategies. The former have included the stepping up of immunization activities in all health units throughout the country and the setting up of additional vaccination strategies, using vaccination task forces, in remote areas; care facilities have also been introduced in indigenous shelters, together with vaccination facilities in hospitals, pre-school education centres and Civil Registry offices.

165. The intensive vaccination strategy has continued the National Vaccination Days and the strategies to eradicate the feral polio virus, including the Operation Hygiene, Operation Pacific-Centre, Operation Southern Frontier and Operation Sinaloa Programmes and the State Vaccination Days, all of which have made a substantial contribution to achieving the objectives and targets of universal vaccination, and consequently, the commitments resulting from the World Summit for Children.

166. In pursuit of these objectives, 90 473 540 doses of vaccine were administered during 1991, taking account of the National Vaccination Days. This

figure represents a 5.1 per cent increase over the 1990 figure. Of the total number of doses, 47.5 per cent were administered by the Ministry of Health, 39.3 per cent by the Mexican Social Security Institute (IMSS), 8.9 per cent by IMSS-Solidarity, 3.8 per cent by the State Employees' Social Security and Services Institute (ISSSTE), and the remaining 0.5 per cent by the health services of the Department of the Federal District and the DIF. It is estimated that the figures for millions of doses administered by these institutions will be similar for 1992.

167. In addition to substantive vaccination activities, many dissemination activities and measures to promote community participation were developed during the period under review. These included increased use of advertisements to the public through the mass media (e.g. radio and television) and dissemination of educational and promotional materials (posters, pamphlets, videocassettes, etc.), which were distributed intensively in schools, markets, government offices, private-sector businesses and institutions, and directly to the community. Broad participation by the private sector and social promotional bodies was secured in the joint implementation of the Programme. The need to provide information to National Health System staff is also covered, with the preparation and periodic circulation of information bulletins and journals on aspects of the Universal Vaccination Programme.

168. Important mechanisms have been set up to evaluate and monitor progress in vaccination coverage throughout the country. Information forms part of this process, and the Ministry of Health, in coordination with other institutions in the sector, has therefore improved its methods and procedures for compilation and analysis of data, through the establishment of an information system specific to the Universal Vaccination Programme (PROVAC). Introduction and use of this system has made it possible to keep up-to-date records of figures for coverage by comprehensive schemes at all levels and in all the institutions of the National Health System, enabling actions and interventions to be targeted on problems identified in the field of vaccination.

169. In mid-1991 a National Vaccination Council was set up to verify and authenticate the figures for vaccination coverage reported by the States; this will enable academic, scientific and public bodies and external auditors to participate in the procedures for validating universal vaccination throughout the country. The National Programme of Action plays an important role in this process (see annex III, pages 48 to 56).

D. Social security and child care services and facilities (arts. 26 and 18, para. 3)

170. In Mexico, the child day-care service is a benefit that covers the risk of the working woman who, during her working day, is unable to provide her infant children with maternal care.

171. Article 171 of the Federal Labour Law establishes the obligation of the Mexican Social Security Institute (IMSS) to provide child day-care services to supervise and care for the children of working mothers.

172. These facilities care for children from the 43rd day after birth until the age of four, providing changing and feeding services, health care, education and recreation, and instilling hygienic habits and a spirit of healthy coexistence and cooperation in shared tasks with common purposes and goals, all of this presented in a simple manner, with due account taken of the age of the children, and with total respect for those aspects of education that are the strict preserve of the family.

173. This obligation is also applicable to enterprises with more than 100 employees and to public contractors. The Ministry of Public Education also regulates the functioning of these centres for the general public, as described in the relevant section.

174. Article 187 of the Social Security Law provides that, so as to secure provision of day-care services, special facilities shall be set up, by areas conveniently situated in relation to the centres of employment and population, and in localities where the compulsory Social Security regime operates.

175. Employers must meet the full cost of the premium for funding child day-care services, regardless of whether they have female employees on their payroll. The amount of the premium is fixed at 1 per cent of the basic pay calculated for purposes of contributions.

176. The substantial drive to promote the setting up of day-care centres has enabled some of the centres to extend child-care to cover pre-school and primary education.

E. Standard of living (art. 27, paras. 1-3)

177. The Government of Mexico, convinced of the vital importance of a strong and solid family structure for the sustained development of a country, conceives all social policy in terms of an integral focus on the family.

178. In this regard, article 4 of the Mexican Constitution stipulates that "Every family has the right to proper and decent housing. The law shall establish the instruments and supports necessary in order to achieve that objective." In addition, it states that "It is the duty of the parents to preserve the right of minors to the satisfaction of their needs and to physical and mental health. The law shall determine the supports for the protection of minors that are the responsibility of the public institutions."

179. The main governmental institution responsible for matters relating to the family is the DIF. The policy of the institution with regard to the family is to provide all necessary assistance services to encourage and strengthen the integral development of the family so that the parents may offer their children an adequate standard of living. These actions are provided on the basis of the criteria of selectivity, temporary availability and active participation by the beneficiaries in their development.

180. The DIF operates a substantial number of programmes. These include the Nutritional Care and Improvement Programme, the objective of which is to enhance the level of nutrition and support family expenditure among the least-favoured sectors of the population; and the Programme to Promote Family and Community Development, the main objective of which is to enhance the quality of life of families and communities by securing their participation in social assistance programmes enabling them to achieve integral development.

181. Other institutional social security bodies also exist, such as the Mexican Social Security Institute (IMSS) and the State Employees' Social Security and Services Institute (ISSSTE). These bodies develop programmes designed to encourage the promotion of family integration and health, and to contribute to raising the standard of living of the population through actions in the fields of social welfare, cultural development, sport and physical recreation.

182. The Ministry of Labour and Social Security (STPS) supervises and promotes labour legislation so as to intervene in the family environment with a series of actions designed to protect jobs, consumption and wages. It dispenses and secures prompt and expeditious justice, and supervises conclusion of and compliance with collective contracts, and enjoyment of benefits and rights in the areas of social welfare and security, training, culture and recreation, safety and hygiene.

183. From this it can be seen that the approach adopted by the institutions in dealing with the family is a comprehensive one; the Government of Mexico is endeavouring to raise families' standard of living, so that the parents or guardians can meet their obligation to provide minors with the things needed to ensure their adequate development.

VII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

A. Education, including vocational training and guidance (art. 28)

184. Article 3 of the Constitution establishes that the education to be imparted by the State - Federation, States or Municipalities - "shall tend to develop harmoniously all of a person's talents and shall at the same time develop in him a love of his country and the consciousness of international solidarity, in a spirit of independence and justice."

185. Section I of the same article establishes that "As freedom of thought is guaranteed by article 24, such education shall be secular, and shall thus in no way touch upon any religious doctrine."

186. Section II establishes that:

"The course to be followed in such education shall be based on the results of scientific progress, shall combat ignorance and its effects, oppression, fanaticism and prejudice. Furthermore:

(a) It shall be democratic, considering democracy not only to mean a juridical structure and a political regime, but a way of life based on the continuous improvement of the economic, social and cultural conditions of the people;

(b) It shall be national insofar as - without hostilities or exclusions - it shall strive for an understanding of our problems, the utilization of our resources, the defence of our political independence, the assurance of our economic independence, and the continuity and growth of our culture; and

(c) It shall contribute to the improvement of human relations, not only with regard to the actual teachings imparted to the pupils, together with a realization of personal dignity and family integrity, in order to obtain a consciousness of general social welfare, but also with regard to the care to be taken to foster ideals of the brotherhood and equality of rights of all men, thus avoiding undue privileges for any race, sect, group, sex or individual."

187. Section VI states that "Primary education shall be obligatory.", and section VII establishes that "All education imparted by the State shall be free." Furthermore, the National Agreement for the Modernization of Education

stipulates that as from the 1992-1993 school year secondary education too shall be compulsory and free.

188. Section IX establishes that "In order to unify and coordinate education all over the Republic, Congress of the Union shall issue the necessary laws in order to distribute the social function of education between the Federation, the States and Municipalities, to specify the economic contributions for that public service and to fix the penalties applicable to functionaries who fail to comply with the legal provisions or to enforce them, as well as those who violate those provisions."

189. Thereinafter, Article 31, section I stresses that it is the duty of every Mexican "to compel his children or wards under fifteen years of age to attend either private or public schools, in order that they may receive basic primary education."

190. Recognizing the important relationship between education, welfare and children's development, the Government of Mexico has drawn up a project to modernize the country that affects almost all areas of institutional life, social and economic relations and Mexico's links with progress in the scientific and technological fields. These essential modernizations call for major changes in the educational system. The central problem in this regard is the need to provide pedagogical linkages between study plans and programmes at initial, pre-school, primary and secondary levels.

191. Under the National Development Plan 1988-1994, the changes in education are one of the major fields determining real possibilities for modernizing the country. Hence the application of a policy which in recent years has been reflected in increased allocation of resources to the education sector. Over the first four years of the present Administration, federal government expenditure earmarked for this sector will have increased by more than 70 per cent in real terms. Expenditure on education represented 3.5 per cent of GDP in 1988, 4.2 per cent in 1990, and 4.5 per cent in 1991.

192. Within the educational field, the commitment entails broadening opportunities for development in early infancy, including appropriate, low-cost family- and community-based interventions; providing universal access to basic education with the intention of ensuring that at least 80 per cent of those entering primary education succeed in completing it; and taking steps to ensure that the necessary knowledge, skills and values are acquired at both individual and family levels.

193. This commitment receives due support from the Government of Mexico's educational policy, which seeks to accord priority to the educational needs of the most deprived regions and social groups, including indigenous children and those living in rural and peripheral urban areas; guaranteeing universal access to primary education and ensuring the involvement of pupils in the teaching/learning process; reorienting and strengthening initial and pre-school education, applying criteria of justice and fairness; eradicating illiteracy and offering adult illiterates the basic skills to facilitate their proper involvement in development; according priority to training and refresher courses for teachers; renewing curricula and methods and introducing the academic and administrative changes characteristic of a modern education. This policy requires a major effort to improve the quality of education at all levels and in all its forms.

B. Aims of education (art. 29)

194. The central objective of the Government of Mexico's educational policy is achievement of universal literacy and of an updated educational programme to respond to the country's new needs.

195. Under this heading the National Programme of Action includes various subprogrammes for basic education, covering the pre-school, primary and secondary cycles. In the same way, the education services include general, rural and community education, and education of indigenous groups. The Programme establishes five guidelines (see annex III, pages 73 to 98):

(a) reaffirmation of the educational aims set forth in the Constitution, enabling them to respond to new situations;

(b) elimination of differences between religious and ethnic groups;

(c) increased effectiveness, efficiency and quality of education;

(d) diversification of educational services; and

(e) integration of the educational process and economic development in a commitment to productivity.

196. Achievement of quality education for all is no easy task. However, through implementation of its various programmes of action and with the participation of families and communities, Mexico is seeking to place Mexican children at an advantage.

197. The start-up of the National Agreement for the Modernization of Basic Education on 18 March 1992 marked the beginning of a new phase in the historical development of national education, bringing together the commitments of the Federal Government, the State Governments and the National Union of Educational Workers to unite their wills and increase their efforts in an attempt to provide children and young people in Mexico with a basic education offering sufficient coverage and adequate quality.

198. This Agreement sets out to achieve a modern linkage between State and society in accordance with the legacy of social liberalism. It concentrates on basic education, since that is what drives the productive capacity of a society, elevates respect for human rights and instils more positive social attitudes and solidarity.

199. Implementation of the new strategy penetrates to the nerve-ends of the educational system by means of educational federalism and social participation, which generate a new system that will boost the quality of education. There are three fundamental strategic approaches to imparting an education with sufficient coverage and of adequate quality:

(a) Reorganization of the educational system;

(b) Reformulation of curricula and educational materials;

(c) Social upgrading of the teaching function.

200. The reorganization of the educational system is under way; the Federal and State Governments have signed agreements for the conducting of basic and normal educational services. Under these agreements the Federal Government has

transferred to the State Governments the pre-school, primary, secondary and indigenous special and normal education services, together with the concomitant physical, human, technical and financial resources. It is now up to the State Governments to plan, direct and operate these services. The Federal Executive exercises the powers conferred upon it by the Constitution and other legislation to guarantee the national character of education throughout the country.

201. Faced with a different way of conducting education, the organizational outlines of the educational system have been redefined; the old model of centralized administration drawn up 70 years ago has been abandoned, as no longer meeting the needs of the new situation.

202. Initial education, as a service providing assistance and training, deals with children between the ages of 45 days and 3 years 11 months, and sets out to encourage the development of their affective, social, physical and cognitive abilities, stimulating their active participation in the educational process. It takes the form of in-school and out-of-school modalities. The former is dispensed in the Infant Development Centres (CENDIs) run by the Ministry of Public Education (SEP), in other centres run by the DIF National System, the Mexican Social Security Institute (IMSS), the State Employees' Social Security and Services Institute (ISSSTE), and in government and private offices. Under the latter scheme, parents of beneficiary children are trained to act as multipliers of the service in peripheral urban, rural and indigenous communities.

203. At the start of the 1991-1992 school year, as regards the in-school modality, 110 061 children were attending 1 042 infant development centres, involving 38 465 persons. In the out-of-school modality, the service was extended to 189 796 children, with the participation of 154 240 parents and of 7 712 community instructors in the same number of rural, indigenous and peripheral urban communities with no in-school facilities.

204. With a view to improving the quality of initial education, priority was assigned to completing the pedagogical model linking it with pre-school education, and to raising awareness among educationalists. For that purpose, three basic documents were produced, one of which clearly sets out the intentions, bases, contents, methodology and evaluation of initial education, while the two others establish procedures and make recommendations regarding the functioning of the two modalities.

205. The commitment for the second half of 1992 includes extending the coverage to 113 000 children in the in-school modality, and it is hoped to increase care via the out-of-school modality by 10 per cent.

206. Pre-school education promotes the integral development of children aged 4 and 5, offering them opportunities for individual fulfilment, and provides the basis for their performance at the next level.

207. This service is provided through three modalities: general, rural community, and indigenous. General pre-school education is dispensed in kindergartens and the CENDIs in urban or rural areas throughout the country, through the State services, private individuals and, in the case of the Federal District, the Directorate-General of Pre-school Education of the Ministry of Public Education. The rural community modality is dispensed through the National Council for Educational Promotion (CONAFE); and indigenous pre-school education

is offered by the State services and by the Directorate-General of Indigenous Education of the SEP in its normative capacity.

208. At present more than two thirds of demand is catered for. In the period 1991-1992 the service was offered to 75.6 per cent of five-year-olds and 59.3 per cent of four-year-olds; altogether, 2 791 550 pupils were catered for, 2.1 per cent more than in 1990-1991.

209. Primary education is a public service enshrined in the Constitution, which fosters a harmonious education in pupils between 6 and 14 years of age, through learning experiences enabling them to acquire the skills needed for their development in society. This service is offered in State and private educational establishments in all the States of the country, and also through Community Courses run by CONAFE in peripheral and remote regions.

210. To cater for ethnic groups, the Directorate-General of Indigenous Education designs and disseminates educational curricula and methods through the public services in the States.

211. A new boost has been given to primary education by the implementation of the Agreement, thanks to which a start has been made on the comprehensive reform of educational curricula and materials, reflected in the total renewal of primary-level study programmes and textbooks, which came into effect at the start of the present school year and will be completed in September 1993. The intention is to provide genuinely essential knowledge, which involves a knowledge of the characteristics of the national identity, the scope of the rights and obligations of citizens and the country's institutions, based on values such as honesty, respect, trust and solidarity enshrined in article 3 of the Mexican Political Constitution.

212. In the 1991-1992 school year 14 396 993 children were catered for; this figure is practically the same as the figure for the previous year, on account of the reduction in the size of the 6 to 14 age group.

213. In the general primary education service, 13 685 000 pupils were catered for in the period 1991-1992, that is, 0.3 per cent fewer than in the previous year; and the coverage in indigenous primary education was 617 479 children, a 5 per cent increase over the period. CONAFE offered Community Courses to 94 177 children in 7 795 communities, with the same number of instructors participating. This figure represents a 14.5 per cent increase over 1990-1991. Thus, the growth in enrolment in primary education is being seen in the most geographically and socially marginalized rural and indigenous communities.

214. Although virtually universal primary education has been achieved, there are still constraints preventing pupils from remaining in the system and completing their studies in the period of time stipulated.

215. Secondary education has as its objectives promotion of study and training for work, and strengthening of young people's sense of social responsibility and cultural identity.

216. The Mexican State supports 88 per cent of secondary schools, in which this level of education is dispensed to 4 190 200 pupils, representing 92 per cent of total enrolment. The remaining 12 per cent of schools are supported by private initiative.

217. With regard to the availability of secondary education in general, it should be noted that this level of education caters to 82 per cent of real

demand in its secondary, occupational, secondary technical and secondary distance learning modalities, enabling these schools to be located in a variety of different socio-economic environments, according to their characteristics, thereby providing an opportunity for all Mexicans so wishing to have access to this service, wherever they may live.

C. Leisure, recreation and cultural activities (art. 31)

218. Section II, subsection b) of article 3 of the Constitution states that education shall be national insofar as - without hostilities - it shall strive for an understanding of the country's problems, the utilization of its resources, the defence of its political independence, the assurance of its economic independence, and the continuity and growth of its culture.

219. Section VIII of the same article states that universities and institutions of higher education to which the law grants autonomy shall have the authority and the responsibility to do research into and disseminate culture, in accordance with the principles set forth in that article.

220. Cultural and recreational activities coming under the heading of education are carried out through activities chiefly subsumed under:

(a) encouragement of children's creativity and awareness of different forms of cultural and artistic expression;

(b) dissemination of cultural products intended for children or of interest to them;

(c) dissemination of children's own output;

(d) inculcation of creativity and artistic awareness in children, through activities such as workshops, cycles of films, quizzes, and demonstrations and exhibitions of children's art.

221. In 1984 the Stimulation and Activities for Children Programme was set up for the purpose of promoting and facilitating children's access to cultural goods and services. This programme is founded on the principle that children have a right to enjoy a country's cultural riches, a right to develop their creative potential and freely to express, in different languages, their thoughts and feelings, and a right to be regarded as sensitive, creative and intelligent persons.

222. The purpose of the workshops is to encourage artistic awareness. Children are invited to participate in drama, painting and handicrafts, edit a newspaper, improvise poems, etc. These activities are coordinated by experts in various localities in the metropolitan area and in the States, in premises such as museums, parks and public squares.

223. The cycles of films give children access to a cross-section of cinematographic productions from various countries. The idea is to initiate them in the appreciation of non-commercial cinema. The films are screened in cinemas throughout the country; there are also street projections in popular neighbourhoods.

224. The National Exhibition of Children's Painting and Drawing, which has been held annually since 1989, reaches urban and rural areas, thanks to the support of institutions such as CONAFE and the National Institute of Indigenous Affairs.

225. The children receive a diploma and their work is included in the "Travelling Art" collections which are used to promote cultural exchanges between children of the different regions of Mexico, and which will shortly be extended to include exchanges with children from other Latin American and Caribbean countries.

226. The dissemination of children's expressive output concentrates basically on the written word, drawing and painting. The writings have been published in the journal Tiempo de Niños, which is devoted to provision of culture to children, and in the anthology Hojas de Papel Volando.

227. In the framework of a joint action to encourage civic values that will benefit the child population, various institutions are involved in the preparation of texts, pamphlets, posters and radio and television programmes, the texts covering subjects ranging from health campaigns to recreational activities, leisure and social work.

228. This permanent public-sector campaign is backed up and reinforced by the mass circulation daily newspapers, which provide listings of children's events, cartoon sections and editorials in which various problems of concern to children are discussed, as well as allocating space for children to express themselves.

229. Support from the broadcasting stations takes the form of educational music programmes and general educational and training broadcasts, news summaries, quizzes, stories and fairy tales. These programmes are transmitted by private stations, higher education institutions such as Radio UNAM and official institutions such as Radio Educación, some of whose programmes are coproduced in collaboration with the National Science and Technology Council (CONACYT). These programmes are transmitted alternately throughout the week and during morning and evening slots, with a view to reaching a wider audience.

230. Private television, too, offers many children's programmes, covering leisure, recreation and development of physical skills, showing strong concern for the environment and involving direct participation. State television is geared to the integral development of children and the broadcasting of domestic and foreign programmes, in the interests of broadening the range of entertainment options. Local television is devoted to community entertainment programmes. All these television networks contribute to the joint effort by the media.

VIII. SPECIAL PROTECTION MEASURES

A. Children in situations of emergency

1. Refugee children (art. 22)

231. Traditionally, Mexico has been characterized by its policy of hospitality to and support for refugees, and by the defence and promotion of the human rights of those fleeing their country for political, ideological, racial or religious reasons. This is borne out by the fact that during the early 1980s the exodus of Central Americans resulted in thousands of persons passing through the frontier States of the south, many of whom remain in Mexico to this day.

232. Refugee minors constitute a substantial proportion of the foreign population currently in Mexico. Approximately one third of these refugee minors were born in Mexico and are thus Mexicans within the meaning of the Constitution, although on reaching the age of 18 they may choose the nationality of their parents or of the country that has given them asylum. These minors are for the most part of Guatemalan nationality, although there are also a considerable number of Salvadorians.

233. Uprootedness, transculturation, a pattern of recurrent violence, the insécurity inherent in their situation, chronic malnutrition and constant displacements are the chief characteristics of the refugees at the time of their arrival, and these may have an adverse effect on the physical, intellectual, psychological and social development of the refugee children. Hence the need to develop specific programmes to cater for them.

234. On 9 July 1990 the General Population Law was amended; article 42, section XI thereof establishes that the quality of refugee arises "to protect the life, security or liberty of persons when they have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights and other circumstances that have obliged them to flee to another country. The refugee shall not be returned to his country of origin, nor sent to any other country where his life, liberty or security may be threatened ...".

235. At present, the Mexican Commission for Aid to Refugees (COMAR), using national resources and resources from the international community, is catering for 46 452 Guatemalan refugees, 52 per cent of whom are located in Chiapas, 30.5 per cent in Campeche, and 16.6 per cent in Quintana Roo. More than 50 per cent of the refugees are minors up to 14 years of age, a total of 23 600 children, 14 972 of whom were born in Mexico.

236. It should be noted that, in the near future, actions in the State of Chiapas will take on a higher profile, since the Guatemalan refugees there are at present located in 123 widely scattered camps, a situation which has hampered availability of resources and measures to support their general welfare. In Campeche and Quintana Roo, on the other hand, the population is located in eight camps with community services, and considerable progress has been made in achieving self-sufficiency.

237. The main governmental and international institutions dealing with refugee minors are COMAR, the Mexican Social Security Institute (IMSS-Solidarity), the Comitán Hospital of the State of Chiapas, the Ministry of Health of the State of Quintana Roo, the Office of the United Nations High Commissioner for Refugees (UNHCR), the National Institute of Nutrition and the National Food Programme.

238. In order to achieve the goals and objectives laid down in the National Programme of Action, progress has been made in concerted action with those non-governmental agencies working most closely with refugee minors, through the work of functional committees on health, education, development aid and integration of women, and of inter-institutionally integrated autonomous production projects.

239. It should be noted that Mexico reported to the Second International Meeting of the Follow-up Committee to the International Conference on Central American Refugees (CIREFCA), held in El Salvador on 7 and 8 April 1992, on the

specific actions provided for in the National Programme of Action for fulfillment of the agreements reached at the World Summit for Children.

240. It should also be pointed out that the work being done in support of Central American refugee children in Mexico seeks to ensure that they enjoy physical and mental health on an equal footing with Mexican children (see annex III, pages 171 to 178).

241. Of note in the educational field is the Initial Education Programme for Refugee Children, which is organized and administered by COMAR and the objective of which is to train parents of Guatemalan refugee families and other members of their community in Mexico to provide early stimulus to their children up to the age of 5, so as to reduce levels of truancy and misconduct in primary schools, which, on account of the various cultural and social disadvantages inherent in their circumstances, tend to be very high among the refugee community.

2. Repatriated minors

242. The marked discrepancy between Mexico's level of economic development and that of the United States of America, with the resultant disparities in supply, demand and remuneration for work, together with the extensive geographical frontier between the two countries, which takes in 7 States of the Republic, has for decades promoted a migration of Mexican labour, and more generally a vast flow of migration that includes a significant number of minors.

243. As a result of this situation, there is a high level of illegal migration of minors, who, either on account of the irregular manner of their entry or else for breaking some law, are deported by the United States authorities. The rights of these repatriated minors are violated on a daily basis, and they are abandoned at the frontier without any protection, where they fall prey to widespread abuses.

244. There are two categories of repatriated minors: those whose only offence has been entering the United States illegally, and those who have committed some offence there and who, after serving their sentence, have been sent back to Mexico because their papers were not in order.

245. The dominant age group among repatriated minors of both categories is those over the age of 13, with a further increase between the ages of 16 and 17. Disaggregated by sex, 90 per cent are male and 10 per cent female.

246. Repatriated minors are frequently ill-treated and abandoned at various points along the frontier with the United States. The most serious aspect of the matter is that they are often separated from their families, without shelter or any means of subsistence.

247. The various programmes set up by the Government of Mexico in response to this problem carry out the following activities (see annex IV, pages 138 to 141):

(a) Investigation of treatment accorded to undocumented minors by the United States Immigration and Naturalization Service;

(b) Coordination of actions of the State and Municipal offices of the DIF;

(c) Training and supervision concerning treatment of repatriated children.

248. A prominent part is played in implementation of these programmes by the work done since 1988 by the Consulates General of Mexico in the area bordering the United States; this includes interviews to ascertain and assess the situation of all minors detained by the United States patrols so as to provide them with comprehensive protection with a view to reintegrating them with their families.

249. The Consulates are also working intensively on reception, registration, control and channelling of these minors towards governmental and non-governmental institutions that provide them with aid and temporary accommodation and, in some cases, assistance in travelling to their place of origin. The minors are directed to private institutions, to alleviate the hardships attendant on their return to their country.

250. Also of note is the conclusion of cooperation agreements between Mexican Consulates and the United States authorities, examples of which are the cooperation agreement on the problems of minors on the frontier between Nuevo Laredo and Laredo, and the cooperation and coordination agreement for the protection of children subjected to ill-treatment in Ciudad Juárez and El Paso, which are intended to assist minors liable to be repatriated in the process of family reunification.

3. Children in armed conflicts (art. 38), including physical and psychological recovery and social reintegration (art. 39)

251. Mexico has not been involved in an armed conflict; however, provisions exist to prevent minors from participating in such conflicts.

252. Article 5 of the Constitution establishes that obligatory public services shall include, inter alia, subject to the conditions set forth in the respective Laws, military service; this is declared compulsory and a matter of public order for all citizens who are Mexicans by birth or naturalization, who shall perform it in the Army or Navy as officers or other ranks, according to their capacities and aptitudes, in accordance with the following categories, which exclude persons under the age of 18:

(a) one year's Active Service, for 18-year-olds;

(b) up to the age of 30, in the First Reserve;

(c) up to the age of 40, in the Second Reserve; and

(d) up to the age of 45, in the National Guard.

B. Children in conflict with the law

1. The administration of juvenile justice (art. 40)

253. Article 18 (4) of the Constitution establishes that "the Federal and State Governments shall establish special institutions for the treatment of juvenile offenders"; so that minors are not subject to penal proceedings, but instead benefit from special treatment.

254. The institution responsible for rehabilitating these minors is the Council for Juvenile Offenders, which assumes charge of minors who have infringed

criminal laws, public regulations or rules of conduct, or who have behaved in any way that suggests an inclination to cause harm to society or the family.

255. In view of the increase in the number of serious offences such as murder, rape and armed assault committed by minors over the past decade, a System of Integral Treatment has been set up to deal with antisocial conduct among minors; this responds in a balanced manner to calls to guarantee public security and to secure the social adaptation of minors who for various reasons have committed these offences, while at the same time guaranteeing full respect for their human rights.

256. In this context, the Law on the Treatment of Juvenile Offenders for the Federal District in non-federal matters and for the Republic as a whole in federal matters was adopted in December 1991 and entered into force in February 1992. This new Law confers on minors the status of subjects at law and seeks their social adaptation, explicitly establishing the principles of legality, hearing, defence, legal consultation and rebuttal. It also explicitly prohibits ill-treatment, holding incommunicado, psychological coercion, or any other action that may be harmful to the integrity of minors.

257. With regard to the principle of legality, the initiative is also innovative in that it assigns to the Council for the juvenile offenders exclusive competence to hear proceedings concerning conduct typified in the criminal codes.

258. With regard to the principle of defence, this is guaranteed by the setting up of the Defence of Juveniles Unit, which will have general defence functions, dealing with violations of the rights of minors committed in the course of general prevention activities (that is, those committed by administrative authorities in the investigation and prosecution of crimes); and procedural defence functions, assisting minors at each successive stage of the proceedings, and protecting them at the treatment and monitoring stages. The possibility of appointing a trustworthy lawyer for the minor or his representatives is also envisaged.

259. As a means of preventing recourse to crime, the various departments, together with other public and private institutions, carry out preventive actions to assist minors, through programmes implemented by the Social Development Ministry, the Directorate-General for Social, Civic and Cultural Matters and the Office of the Attorney-General of the Republic.

260. The importance attached by the programmes to promoting reintegration of offenders in society so as to enable them to take on a constructive role within the family should also be noted. Between September 1990 and July 1991 the Council placed 453 minors in the care of the DIF for protective custody and supervision.

2. Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings (art. 37 (b), (c) and (d))

261. Preventive detention for juvenile offenders does not exist in Mexico. The equivalent is the period of observation, during which a psychological, medical, social and pedagogical study of the minor's personality will be carried out and, on the legal front, the evidence on the basis of which the truth may be established will be submitted, and deemed admissible where appropriate and fully examined.

262. Notwithstanding the above, the law permits the preventive detention of minors by court order when they have committed serious offences and/or are liable to cause harm to themselves, to their families or to society (subject to their being immediately handed over to the competent authority).

263. In this regard, article 18 of the Political Constitution of the United Mexican States states that minors held in preventive detention must be separated from adults and from minors who have already been convicted. To that end, the law provides for special facilities intended exclusively for minors, such as the Specialized Agency of the Public Prosecutor's Office for Juvenile Matters, attached to the Government Procurator's Office of the Federal District.

3. The sentencing of juveniles, in particular the prohibition of capital punishment and life imprisonment (art. 37 (a))

264. In accordance with national legislation, capital punishment may not be imposed on a minor in any circumstances, including the cases itemized in article 22 of the Constitution - namely, high treason committed during a foreign war, parricide, murder with malice aforethought, arson, abduction, highway robbery, piracy and grave military offences - since minors are not liable to criminal action.

265. It should be noted, however, that while there is provision for the death penalty in the case of certain specific crimes, particularly military offences, it has not been applied in Mexico, and is thus in practice not applicable even to persons who have attained the age of majority.

4. Physical and psychological recovery and social reintegration (art. 39)

266. By its very nature, general prevention comprises the full range of actions in the fields of education, health, social assistance and guidance carried out in a concerted fashion by the Mexican State through its departments and organizations at all levels of government. Training and education of civil society, and especially of the family, also have a place in general prevention.

267. Noteworthy in this area is the "Integral Development of Adolescents" (DIA) Programme, coordinated at national level by the DIF and run by the DIF and by 31 State DIF systems, which, by means of coordination, incorporates actions by other governmental departments and entities at federal or State level - the Ministries of the Interior, Public Education and Health, the Office of the Attorney-General of the Republic and the Government Procurator's Office of the Federal District, the National Volunteers'Association and the Council for Juvenile Offenders of the Federal District.

268. The preventive actions implemented by the Department of the Federal District, through the programmes of the Social, Civil and Cultural Action and Promotion of Sport Directorates, also merit special mention.

269. With regard to the population at risk, this consists, inter alia, of minors registered as having dropped out of school, those who work, those from broken homes, and those living in extreme poverty. In this context preventive action takes on a more specialized form, being then considered as a form of targeted prevention.

270. Another group of minors consists of those who have come into contact with the juvenile justice system and who thus require a specific form of prevention, characterized by the simultaneous application of programmes with a preventive slant and, in the later stages, of treatment applied under the provisions of the Law on Juvenile Offenders.

271. Broadly speaking, the objectives of these programmes are:

(a) improvement of the conditions in which adolescents develop, through institutional actions resulting from the investigation, making it possible to ascertain the facts and provide adequate and timely intervention (DIA and DIF);

(b) strengthening of the integral development of adolescents within the family, through promotion of recreational and cultural activities in places of historical and cultural interest in Mexico City (Department of the Federal District); and,

(c) avoiding the emergence of dysfunctional, parasocial or antisocial behaviour among minors at risk (Office of the Attorney-General of the Republic and Council for Juvenile Offenders of the Federal District).

C. Children in situations of exploitation, including physical and psychological recovery and social reintegration (art. 39)

1. Economic exploitation, including child labour (art. 32)

272. The need of many minors to join the ranks of the employed is a continuing concern of the Government of Mexico, and ever since the drafting of the Constitution this matter has been regarded as of vital importance to the healthy development of minors towards a full life.

273. Article 23 (a), sections II, III and XI of the Constitution prohibit the use of the labour of the under-14s, and specify that persons over that age and below the age of 16 shall have a working day not exceeding 6 hours. They also prohibit dangerous or unhealthy work, overtime, night work, industrial work and any work undertaken after 10 p.m. Article 23 (a), section II prohibits "unhealthy or dangerous work, [and] work by persons under the age of 16 after 10 p.m."

274. Article 202 of the Penal Code also states that "it is prohibited to employ persons under the age of 18 in bars, taverns and centres of vice [...]. Parents or guardians who permit their children or wards to be employed in such establishments shall incur the same penalty ...".

275. With regard to the protection of minors who are employed, the Directorate-General of Federal Labour Supervision attached to the Ministry of Labour and Social Security oversees compliance by employers with the obligations laid down by the Federal Labour Law, which in several of its articles refers specifically to protection of minors in the workplace.

276. Following the 1990 World Summit for Children, Mexico undertook to comply with the following four priority objectives regarding employed minors:

(a) Promotion and training of employed minors;

(b) Promotion of incorporation or reincorporation of young people into the world of work;

(c) Strengthening of inspection services so as to identify employers who disregard statutory provisions concerning employment of minors; and

(d) Raising awareness among parents, and in society in general, of the harmful effects of early incorporation of minors into the world of work.

277. The federal government authorities responsible for ensuring compliance with these objectives are the Ministry of Labour and Social Security (STPS), which plays a normative role in this regard throughout the country and an operational role in those areas falling under federal jurisdiction, and the Department of the Federal District (DDF), which is responsible for supervision, control and monitoring of work conditions in the Federal District. The functions of the STPS relating to employment of minors are performed through the Directorate-General of Federal Labour Inspection, and those of the DDF through the Directorate-General of Labour and Social Security.

278. Given that the most pertinent of the objectives cited is that concerning strengthening of inspection services, the main function of the Directorate-General of Federal Labour Inspection is to oversee compliance with labour regulations. However, fulfillment of the other objectives is also pursued in the context of the other functions of the Labour Inspectorate, such as facilitation of information and technical assistance to improve compliance with labour regulations, informing the competent authority of violations in the workplace, and conducting of studies and compilation of data requested by other authorities or which it deems desirable in order to secure harmonious relations between employees and employers.

279. As regards promotion of training for the workplace, there are two major targets, namely, ensuring that employers meet their obligation to train their workers, and promotion of the training of young people for work.

280. Similarly, as regards the objective of promoting incorporation or reincorporation of young people into the world of work, arrangements have been made for the National Employment System to give preference to young people when filling vacant posts in enterprises. Concerted action is currently being taken to prepare a special employment programme for minors (see annex II, pages 130 to 135).

281. Activities to raise awareness among parents and in society regarding the harmful effects of early incorporation of children into the world of work have been carried out through interviews conducted with parents accompanying their children in connection with formalities at the offices of the Department of Minors or of the Federal Labour Delegations, and through communications to parents' associations in schools and other groups, so as to instil an awareness of the possible impact of early incorporation on the physical and psycho-social development of young people, and especially of children.

2. Drug abuse (art. 33)

282. There is great concern in all sectors of society regarding the use and abuse of drugs in general, and particularly by minors and young people affected by this phenomenon, which is leading to serious imbalances in individuals, the family and society.

283. Research carried out by the Health Sector shows that in Mexico the risk is greatest in the 12 to 24 age group in urban areas along the northern frontier,

in international tourist centres, conurbations with high rates of immigration and/or social marginalization, and in areas where drugs are produced and those located along drug trafficking routes.

284. The 1988 National Inquiry into Addiction found that four out of every 100 persons between the ages of 12 and 65 in Mexico had experimented with drugs at some time in their lives; and that 0.95 per cent had come into contact with them on more than one occasion during the previous month.

285. The Inquiry also showed that, generally speaking, consumption of inhalants begins between the ages of 12 and 17, and of marijuana and hallucinogens between the ages of 18 and 25. The epidemiological studies carried out by the Centros de Integración Juvenil, A.C. on newly admitted patients show that 85 per cent of users start to consume drugs between the ages of 10 and 19.

286. Given these characteristics of the problem, efforts are concentrated chiefly on prevention, and involve all the federal bodies dealing with the question: Centros de Integración Juvenil, A.C. (CIJs), the Department of the Federal District (DDF), the Office of the Attorney-General of the Republic (Drug Dependence Programme), the DIF, the National Institute for Mental Health, and the Council for Juvenile Offenders of the Federal District (see annex III, pages 137 to 143).

287. The treatment model adopted by the CIJs sets out to treat and combat the problem of drug dependence from the public health perspective, an approach shared by the other federal institutions active in this area.

288. Primary prevention is regarded as the best way of combating drug dependence. Its direct strategy is education for health, in a process extending from provision of information to guidance and training.

289. The body within the Health Sector responsible for overall coordination of policies of prevention, treatment and rehabilitation with regard to drug dependence is the National Council to Combat Addiction. The functional institutions decide on objectives, strategies and lines of action consistent with the normative framework established by the Council, with which it maintains constant coordination.

290. At the stage of provision of information, the community is encouraged to participate actively in the prevention of drug dependence and to draw attention to the institutional services available for primary prevention, treatment and rehabilitation.

291. Similarly, the Office of the Attorney-General of the Republic has implemented its Programme for the Treatment of Drug Addiction, through which the various State, Municipal and Federal departments work intensively to keep the public informed of the harmful effects of drug consumption, and to provide effective treatment for addicts.

292. The National Institute of Mental Health of the DIF also offers a range of programmes for the rehabilitation of drug-dependent minors.

3. Sexual exploitation and sexual abuse (art. 34)

293. Sexual abuse and rape are covered by article 261 of the Penal Code for the Federal District regarding non-federal offences and for the Republic as a whole regarding federal offences, which states that in the case of rape of a person under 12 years of age or of a person incapable of understanding the significance of the act or who for any reason is unable to resist, the offender shall be

sentenced to between three and six years' imprisonment, or to non-custodial or semi-custodial treatment for up to one year.

294. Article 262 of the Penal Code also establishes that rape of a person between the ages of 12 and 16, involving abuse of authority or deceit, shall be punishable by between three and seven years' imprisonment. This offence shall be prosecuted only at the request of the injured party or of the party's legitimate representative, and the decision of the injured party shall be paramount for purposes of a pardon.

295. Article 266 bis of the Penal Code stipulates that sexual abuse and rape shall be considered aggravated when:

(a) they were inflicted by an ascendant on a descendant or vice versa, on a sibling, by a guardian on a ward, or by the stepfather or man cohabiting with the mother on the stepchild. Where the offender holds parental authority, he shall be stripped of it, and of the right to administer the victim's goods; and,

(b) the offences were committed by the person entrusted with the victim's custody, guardianship or education, or exploiting the confidence placed in him.

296. The reparation for the harm suffered in consequence of the offences defined in the above-mentioned articles shall include, at the request of the party, payment of maintenance to the victim and, where applicable, to any offspring resulting from the offence (article 267).

4. Other forms of exploitation (art. 36)

297. The economic and social crisis of the 1980s resulted in a large number of children being obliged to live on the streets, working as bootblacks, match-boys, windscreen washers, pedlars, etc., or begging in order to eke out a living.

298. Street children are to be found throughout the nation. In 1987 the DIF started a Juveniles in Special Circumstances (MESE) Programme to deal with this problem.

299. The Programme's aims and objectives fall into three areas: preventing minors from being driven on to the streets; promotion of changes in the behaviour of homeless children and children on the streets; and reintegration of minors in their families.

300. Street children in Mexico City are dealt with by the Department of the Federal District (DDF), through the Street Children Programme carried out by the Directorate-General of Social Protection, a body which also deals, inter alia, with minors institutionalized after being abandoned or orphaned, and with destitute adults.

301. Street children elsewhere in the Republic are dealt with by the State DIF systems, which have normative, training, monitoring and assessment functions.

302. Street children are classified as follows:

(a) Children on the streets: involved in semi-employed activities to assist their families; irregular school attendance. About 90 per cent of all street children are thought to come into this category;

(b) Homeless children: live on the streets and are separated from their families. Ten per cent of all street children come under this heading;

(c) Minors at risk: their economic and social situation, and consequently their family situation, are precarious; at risk of being driven out of the family home.

303. The chief governmental and non-governmental institutions dealing with these children are the DIF, the DDF, the Patronato Nacional de Promotores Voluntarios (National Volunteers' Association), the Government Procurator's Office of the Federal District (PGJDF), and the Government Procurator's Offices (PGJs) of the States.

304. Financial and/or technical support is provided by UNICEF, non-governmental organizations and various private institutions.

305. In order to comply with its obligation to protect street children, the Federal Government has decided to set up programmes and studies to promote their safety, survival and development (see annex III, pages 125 to 130).

5. Sale, trafficking and abduction (art. 35)

306. On 2 October 1992 an Agreement was published in the Diario Oficial de la Federación setting up the Public Prosecutor's Specialized Agencies for the Investigation of Child Abduction, attached to the Government Procurator's Office of the Federal District (PGJDF) (see annex V). The purpose of this Agreement is to respond to reiterated calls by the community for specific investigation of the crime of child abduction and for protection of minors and legally incompetent persons who are victims of violence within the family or of other anti-social conduct. It stipulates that, when a preliminary investigation involving a juvenile victim who has disappeared or is absent comes to their attention, the agents of the public prosecutor's office carrying out the investigation shall take the necessary steps to communicate it immediately to the local Public Prosecutor's Specialized Agency for the Investigation of Child Abduction, submitting full particulars so that the matter may be investigated in due form.

307. These Specialized Agencies will then take over responsibility for initiation, prosecution and conclusion of preliminary investigations regarding these cases.

D. Children belonging to a minority or an indigenous group (art. 30)

308. The Government of Mexico recognizes the right of indigenous peoples to their own cultural life and language, with the values, traditions and customs which that implies. To secure compliance with these objectives, in 1989 a National Commission for the Indigenous Peoples was set up, with the task of studying reforms to the Political Constitution and the objective of overcoming the injustice suffered by these peoples.

309. In consequence, on 7 December 1990 the President of the Republic presented an initiative which adds to the first paragraph of article 4 of the Constitution a recognition of the rights of the indigenous peoples, worded as follows:

> "The Mexican Nation has a multicultural composition originally sustained in its indigenous peoples. The law shall protect and promote the development of its languages, cultures, usages, customs, resources and specific forms of social organization, and shall guarantee its constituent peoples effective access to the jurisdiction of the State. In the trials and agrarian proceedings in which those peoples may be involved, account shall be taken of their legal practices and customs, in the terms to be established by law."

310. Thus, the Mexican Constitution provides a legal base for the protection of the multicultural differences of the indigenous peoples, but at the same time it creates no privilege and establishes no different category among Mexicans.

311. Approximately 9 per cent of the total population of Mexico belong to indigenous groups. They generally live in poor rural areas, and suffer from problems of malnutrition and inadequate diet, illiteracy, and a tendency to fall ill and die at an early age.

312. Indigenous children generally live in remote areas and are the last to receive the services and benefits enjoyed by the rest of society.

313. The indigenous child population has been regarded as one of the most vulnerable groups within the Mexican population as a whole.

314. Of the 56 officially recorded indigenous groups, the largest concentrations are to be found in Oaxaca, Veracruz, Chiapas, Yucatán, Puebla, México, Hidalgo, Guerrero, the Federal District, San Luis Potosí and Michoacán (86 per cent of the total), while the linguistic distribution shows that the Nahuas, Zapotecas, Mazatecos, Mixtecos and Otomíes represent 63 per cent (see annex I).

315. The National Institute for Indigenous Affairs (INI), attached to the Ministry of Social Development (SEDESOL), is the Federal Government body responsible for dealing with ethnic groups in Mexico. This institution performs its activities in coordination with a number of federal and state entities, through 90 Centres for Coordination of Indigenous Affairs located in 21 States, together with five residences and one rural hospital.

316. The INI has made the following proposals as guidelines for the carrying out of activities in the fields of health, nutrition and education (see annex III, pages 165 to 170).

(a) Exploitation of democratic planning to design and implement health policies with, rather than simply for, the indigenous populations, with special emphasis on children's health;

(b) stepping up of sanitary control and environmental improvement activities with a direct bearing on health. Under this heading come trachoma and diarrheic ailments, particularly cholera;

(c) working towards a health services coverage that will guarantee reasonable quality for all inhabitants of the communities, in coordination with

the Ministry of Health, State and Municipal Governments, IMSS-Solidarity and non-governmental organizations;

(d) support for programmes for temporary and permanent migrants in the States of Guerrero, Morelos and Sinaloa;

(e) orientation of health programmes, along with training and production programmes, in accordance with the characteristics, resources and traditions of the community;

(f) continuation of activities aimed at combating diseases preventable by vaccination, with the support of the 12 INI radio transmitters;

(g) guaranteeing of milk supplies to the INI hostels through the INI-LICONSA-DICONSA agreement and with the help of the food support programme. The INI has 1 143 indigenous school hostels serving 58 206 children;

(h) strengthening the epidemiological and nutritional monitoring system as a basis for prevention and control of diseases;

(i) repairing 263 and equipping 491 hostels, with the support of the National Solidarity Programme (PRONASOL); and

(j) extending, with coordination between PRONASOL and INI, the coverage of the Programme of Direct Food Aid to Indigenous Communities Suffering from Extreme Poverty.

317. The programmes that the INI has executed to comply with these guidelines are as follows: a Primary Health Care Programme; a Third-level Programme for Indigenous Patients; an Anti-Cholera Programme; a Traditional Medicine Programme; a Programme for Universal Vaccination in Indigenous School Hostels; the Programme of Direct Food Aid to Indigenous Communities Suffering from Extreme Poverty; and a National Programme for Provision of Drinking Water to Indigenous Regions.

318. Other health care measures worthy of note include the activities carried out by the IMSS-Solidarity Programme, the Ministry of Health and the DIF, especially through food support, and by the National Institute of Nutrition, with various research and support programmes on nutrition. Other programmes, such as the Agricultural Labourers Programme supported by the National Solidarity Programme, also have an impact (see section VI above).

319. In the field of education, noteworthy actions include those carried out by the Ministry of Public Education (SEP) through its Directorate-General of Indigenous Education, already described in section VII above.

320. The general aim is to ensure that all indigenous children in a situation of extreme poverty see a reversal of the manifest disadvantages and severe inadequacies they experience in areas such as health, nutrition, full primary education, housing, clothing, water supply, basic sanitation in rural areas, and work load at an early age.

E. "Children in Solidarity" Programme

321. The instrument of social policy created by the Mexican Government to launch a frontal attack on poverty and extreme poverty is the National Solidarity Programme.

322. Its actions are targeted on three population groups: ethnic groups, peasants and inhabitants of urban working-class districts; they focus on three areas: social welfare, support for production, and encouragement of regional development and execution of projects and services to improve the standard of living of wider population groups, such as IMSS-Solidarity, food and provisioning, drinking water, sewerage systems and electrification. The Programme also includes actions that directly benefit children, one of which is the "Children in Solidarity" Programme, which seeks to ensure the welfare of children in all areas that affect them, such as health and education.

323. Given the economic deficiencies that hamper the scholastic development of Mexican children who grow up in conditions of extreme poverty, resulting in a higher rate of dropping out of school, the "Children in Solidarity" Programme proposes to allocate an amount of government resources as aid to support children (and their families) facing such circumstances. It also promotes organized participation by society as a way of combating the problem.

324. The Programme's objectives and targets in the field of education are:

(a) to offer an alternative to the most deprived children to enable them to complete their primary education (only 55 per cent of children that enter first grade currently manage to complete their primary education);

(b) to promote healthy physical and mental development in children; and

(c) to encourage participation by children in tasks of mutual benefit.

325. The Programme is targeted on the first three grades of the basic level, in which the highest drop-out rates are to be found.

326. The Programme consists of the awarding of integral scholarships made up of economic support for 12 months and for the period during which the scholarship is held; provision of a basic monthly stock of family food which is delivered to the community by the CONASUPO-DICONSA network; curative and preventive medical assistance, and monitoring of nutrition via the Health Sector; and promotion of recreational workshops and activities of benefit to the community.

327. In selecting children eligible for scholarships, the Committee is responsible for promotion and publicization of the Programme so as to ensure that children participate spontaneously and freely in this process. They themselves constitute the basic selection body within the beneficiary scholastic groups. The intention is to arouse children's interest in their school and to foster an exercise that involves them in community life. This proposal is validated by the Scholastic Committee, thereby ensuring not only respect for the community's decision, but also committed participation in implementation of the Programme, in a spirit of solidarity, transparency and fairness.

328. The criteria applied in selection of beneficiaries are as follows: candidates must be enrolled in school, attend school regularly, come from a family with scarce resources, and show an aptitude for collaboration and participation, both in school and within the community.

329. The co-responsibility established between government departments and bodies and the beneficiary communities has been decisive in the development and operation of the Programme, and the constant and organized participation of the community in monitoring actions that are the responsibility of the Government

and in control of the tasks that are the responsibility of the population itself has made it possible to ensure that this effort of solidarity leads to positive results.

330. The goals achieved by the Programme during its first phase in 1991 (the year in which operations began) were 198 523 beneficiaries, 256 956 scholarships, and 10 523 schools served in 17 States of the Federation. These activities were carried out with programmed resources of 176 842.5 million pesos, of which the Federation contributed 127 400.6 million pesos and the various States a total of 49 441.9 million pesos. For 1992 (the second stage) it is planned to double coverage, extending the Programme to the entire country.

331. The Programme for Social Solidarity through Community Cooperation applies the fundamental characteristics of the social policy promoted by the National Solidarity Programme to the solution of health problems. Responsibility for its execution lies with the General Coordination Office of the IMSS-Solidarity Programme, and it operates in the poor rural areas of 18 States of the Federation, catering for about 11 million inhabitants, mainly agricultural producers living below the subsistence line, as well as 56 ethnic groups. Its aim is to contribute to raising the level of health of the poor rural population through comprehensive individual, family and collective health care and treatment.

332. In 1991 its activities were directed to improving the nutritional state of 1 304 241 children under the age of five, representing a 20 per cent increase over 1990, with 53 841 malnourished children restored to health.

333. Actions carried out under the Programme to address the nutritional state form part of the comprehensive range of care services offered with a view to maintaining the falling trend in malnutrition in its mild and moderate forms, by means of joint participation by the institutions and the beneficiary communities.

334. In 1990, 21 per cent of children studied suffered from some degree of malnutrition; of these, 14 per cent suffered from mild malnutrition, 5.6 per cent from moderate malnutrition, and 1.9 per cent from serious malnutrition. For 1991, in the geographical areas in which the Programme is being applied, malnutrition as a whole fell by 16 per cent, while mild cases fell by 10.6 per cent, moderate cases by 4.2 per cent, and serious cases by 1.3 per cent.

335. The "Children in Solidarity" Programme is carrying out the following actions in the health sphere:

(a) evaluation of the nutritional state of beneficiaries of the Programme, through a medical consultation at the start of the Programme, followed by at least two further consultations in the course of the year;

(b) verification, updating and strengthening of vaccination schemes;

(c) detection of visual and auditory disturbances and of buccal, dental and locomotor problems;

(d) provision of medical consultations, directing the minor to other levels of care where necessary;

(e) promotion of health, nutritional guidance and physical sanitation; and

(f) distribution of low-cost milk to economically marginalized communities as a way of contributing to improvements in nutrition.

336. The first stage of the Programme was started up in 11 States of the Republic. To date, it has catered for 59 039 children living in 745 municipalities throughout the country; the figure for distribution of food stocks is 472 312, and 177 177 medical consultations are programmed for those entitled to them.

337. Through these actions the State is strengthening measures to guarantee the right of the child to enjoy the highest possible level of health and the minimum services necessary to ensure social well-being. The "Children in Solidarity" Programme makes a significant contribution to this task, over and above the efforts made by other institutions to protect children living in unfavourable conditions, which constitute a priority for the Government of Mexico.

LIST OF ANNEXES*

I. 11th General Census of Population and Housing, National Institute of Statistics, Geography and Data Processing, 1990

II. Mexican Children: a National Priority. Contribution by the Government of Mexico to the World Summit for Children, 29 and 30 September 1990

III. National Programme of Action, First Evaluation. Mexico and the World Summit for Children, October 1992

IV. National Programme of Action. Mexico and the World Summit for Children, November 1991

V. Diario Oficial de la Federación. Agreement setting up the Public Prosecutor's Specialized Agencies for the Investigation of Child Abduction, October 1992

---

* These documents may be consulted in the Spanish version deposited in the archives of the United Nations Centre for Human Rights by the Government of Mexico.